TO BE LIEUTENANT COLONELS WITH RANK FROM OCTOBER 31, 1940

Maj. Will Rainwater White, Quartermaster Corps.
Maj. George Albert Bentley, Quartermaster Corps.
Maj. Edward Hanson Connor, Jr., Infantry.

TO BE MAJOR WITH RANK FROM OCTOBER 24, 1940

Capt. Ernest Tuttle Owen, Field Artillery.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO FINANCE DEPARTMENT

Maj. William Bobbs Miller, Infantry, with rank from July 1, 1940.

Capt. Walter Edwin Ahearn, Infantry, with rank from June 12, 1940.

TO SIGNAL CORPS

First Lt. Roscoe Constantine Huggins, Infantry, with rank from August 1, 1935.

SENATE

MONDAY, SEPTEMBER 23, 1940

(Legislative day of Wednesday, September 18, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou whose eternal calm lies round about our great unrest, whose presence stills the confusion of our thought: Inspire us, we beseech Thee, day by day with that fine loyalty of soul to which visions are vouchsafed, that at the crossroads of our life the path of duty may be clear. Breathe upon us with Thy quickening breath in our moments of reflection, and in the hours of action guide us by Thy powerful hand, as we thank Thee for the toil that wearies us and the arbors of rest that leave us renewed.

O Man of Galilee, who knowest all our frailties and forgivest even our denials of Thyself, look upon us with Thine eyes of love, the love that sends us out into the silences to weep and lament and long for restoration and then, by its wondrous power, transmutes failure into success, sin into grace, and sadness into song. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, September 20, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Johnson, Colo.	Schwartz
Andrews	Ellender	King	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	McKellar	Shipstead
Bailey	Gerry	McNary	Smith
Barkley	Gibson	Maloney	Stewart
Bilbo	Gillette	Mead	Taft
Bridges	Glass	Miller	Thomas, Idaho
Bulow	Green	Minton	Thomas, Okla.
Burke	Guffey	Murray	Thomas, Utah
Byrd	Gurney	Neely	Townsend
Byrnes	Hale	Norris	Tydings
Capper	Harrison	Nye	Vandenberg
Caraway	Hatch	O'Mahoney	Van Nuys
Chavez	Hayden	Overton	Wagner
Clark, Idaho	Herring	Pepper	Wheeler
Clark, Mo.	Hill	Pittman	White
Connally	Holt	Radcliffe	Wiley
Danaher	Hughes	Reed	
Davis	Johnson, Calif.	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] is absent because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Ohio [Mr. DONAHEY], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Illinois [Mr. SLATTERY], the Senator from New Jersey [Mr. SMATHERS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Oregon [Mr. HOLMAN], and the Senator from New Jersey [Mr. BARBOUR] are necessarily absent.

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. A quorum is present.

DR. B. L. PURSIFULL AND OTHERS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 658) for the relief of the estate of Dr. B. L. Pursifull, Grace Pursifull, Eugene Pursifull, Ralph Pursifull, Bobby Pursifull, and Dora Little, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BURKE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. BROWN, and Mr. TOWNSEND conferees on the part of the Senate.

MRS. CLYDE THATCHER AND MINOR CHILDREN

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 1288) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BURKE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. BROWN, and Mr. TOWNSEND conferees on the part of the Senate.

MRS. GEORGE C. HAMILTON AND NANETTE ANDERSON

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4561) for the relief of Mrs. George C. Hamilton and Nanette Anderson, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BURKE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. BROWN, and Mr. TOWNSEND conferees on the part of the Senate.

PETITION

The PRESIDENT pro tempore laid before the Senate the petition of Father Divine and sundry other citizens of the United States, praying that the Americas be united for peace, and also praying for the enactment of pending legislation to prevent and punish the crime of lynching, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 4232) for the relief of the Eastern Cherokees, reported it with an amendment and submitted a report (No. 2147) thereon.

He also, from the same committee, to which was referred the bill (S. 4233) for the relief of the Eastern and Western Cherokees, reported it without amendment and submitted a report (No. 2148) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7738) to amend the act entitled "An act to authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, Calif., for public airport use, and for other purposes, reported it with amendments and submitted a report (No. 2149) thereon.

Mr. CLARK of Missouri, from the Committee on Interoceanic Canals, to which was referred the bill (H. R. 9603) to amend the Canal Zone Code, reported it without amendment and submitted a report (No. 2151) thereon.

Mr. SCHWELLENBACH, from the Committee on Immigration, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 8163. A bill for the relief of Antonio Sabatini (Rept. No. 2152); and

H. R. 8744. A bill for the relief of Ernest Lyle Greenwood and Phyllis Joy Greenwood (Rept. No. 2153).

Mr. HUGHES, from the Committee on Immigration, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 4066. A bill for the relief of Josefina Alvarado (Rept. No. 2154); and

H. R. 6820. A bill for the relief of Mrs. Hama Torii Emerson (Rept. No. 2155).

Mr. RUSSELL, from the Committee on Immigration, to which was referred the bill (S. 4236) for the relief of Ida Valeri, reported it without amendment and submitted a report (No. 2156) thereon.

Mr. ANDREWS, from the Committee on Immigration, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4085. A bill for the relief of Max von der Porten and his wife Charlotte von der Porten (Rept. No. 2157); and

H. R. 9840. A bill for the relief of Bela Karlovitz (Rept. No. 2158).

Mr. CAPPER, from the Committee on Immigration, to which was referred the bill (H. R. 4656) to record the lawful admission to the United States for permanent residence of Esther Klein, reported it without amendment and submitted a report (No. 2159) thereon.

REVISION AND CODIFICATION OF NATIONALITY LAWS

Mr. SCHWELLENBACH. Mr. President, I ask unanimous consent to report back from the Committee on Immigration with amendments the bill (H. R. 9980) to revise and codify the nationality laws of the United States into a comprehensive nationality code, and to submit a report (No. 2150) thereon.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. SCHWELLENBACH. In this connection I wish to say, briefly, that this bill is a codification of the nationality laws of the United States. It involves work which has been going on since 1933. It is an intensive study carried out both in the departments of the Government and in the House of Representatives.

Insofar as the Senate committee report is an explanation of the bill, I ask that the report be printed in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is as follows:

Mr. SCHWELLENBACH, from the Committee on Immigration, submitted the following report to accompany H. R. 9980:

The Committee on Immigration, to whom was referred the bill (H. R. 9980) to revise and codify the nationality laws of the United States into a comprehensive nationality code, having considered the same, report it back to the Senate with amendments, and recommend that the bill as amended do pass.

HISTORY OF THE BILL

The President, by Executive order of April 25, 1933, designated the Secretary of State, the Attorney General, and the Secretary of Labor, a committee to review the nationality laws of the United States, to recommend revisions, and to codify those laws into one comprehensive nationality law for submission to the Congress. The cabinet committee set up a technical advisory committee consisting of six experts upon the subject from the Department of State, one from the Department of Justice, and six from the Department of Labor, who worked for a period of several years in producing the draft code which was submitted to the Congress by the President on June 13, 1938, for its consideration. Extensive hearings were held upon the measure in the House of Representatives, and both the House Committee on Immigration and Naturalization and this committee have had the benefit of the views of representatives of the Departments of State, Justice, Labor, War, and Navy, the American Bar Association, and other organizations particularly concerned with the subject of nationality.

This proposed code, if enacted, will be the first authoritative legislative measure since the Revised Statutes of 1878, containing in logical and systematic form a statement of all of the laws of the United States upon citizenship, naturalization, and expatriation. It will be of exceptional value to naturalization officers, judges, and clerks of naturalization courts, American diplomatic and consular officers throughout the world, United States attorneys, lawyers, and all Government officials and other persons having occasion to consider the conditions under which citizenship of the United States may be acquired or lost.

NATURE OF THE CODE

The proposed code consists of five chapters, as follows:

Chapter 1. Definitions.
Chapter 2. Nationality at birth.
Chapter 3. Nationality through naturalization.
Chapter 4. Loss of nationality.
Chapter 5. Miscellaneous.

Ambiguous provisions of present law have been clarified and conflicting provisions eliminated. An instance of the latter is the fixing of the statute of limitations for criminal prosecution under the proposed code at 5 years. Under the basic Naturalization Act of 1906 a similar period was prescribed, but doubt continually has been raised as to its effectiveness because the Federal Criminal Code of 1909 contains a general limitation of 3 years applicable to most crimes. Much vexatious litigation has arisen because of this conflict.

Obsolete material has been eliminated through repeals.

A NATIONAL-DEFENSE MEASURE

The proposed revision will greatly strengthen the laws of the United States concerned with the national defense.

During the first World War the act of 1918 provided for the naturalization of persons rendering various types of service in the armed forces of the United States. In addition, further temporary military provisions were enacted extending for limited periods various provisions of World War legislation to persons who had rendered such service. These measures included the acts of 1919, 1926, 1929, 1932, two in 1935, 1937, and 1939. Such legislation, while it was in force, was very difficult to apply because of its technical nature and the confusion of its terms. Certain members of the armed forces of this country were discriminated against in favor of others.

These undesirable features have been eliminated through the inclusion in the code of a section which would apply uniformly to persons who served honorably in the United States Army, Navy, Marine Corps, or Coast Guard for a period or periods aggregating 3 years. They would be relieved from the usual 5-year period of residence in this country and from the requirements as to the declaration of intention, certificate of arrival, and residence within the jurisdiction of the naturalization court. Proof of honorable service, good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward this country during such service would be made by authenticated copies of the records of the executive departments under which the service was rendered. This provision has been approved by the War and Navy Departments.

Aliens serving honorably or with good conduct for a period of at least 5 years on United States Government vessels other than those forming a part of the Navy or Coast Guard or on merchant vessels of the United States would also be permitted to become naturalized under similar conditions. While service on Government vessels would be regarded as residence within the United States for naturalization purposes, such provision would not apply to service on vessels operating in connection with the maintenance, operation, and protection of the Panama Canal.

A particularly desirable feature of the code is the broadening of the prohibition against the naturalization of persons who are members of anarchistic or other subversive groups or who believe in or advocate subversive doctrines or sabotage. This provision would be applicable to any person who within 10 years prior to filing a petition for naturalization has entertained any such views or has been affiliated with any organization or group of a subversive nature.

More than 100 criminal offenses against the naturalization and citizenship and expatriation laws have been defined and penalties provided up to a maximum of $5,000 fine or 5 years' imprisonment, or both.

Desertion from the military or naval service of the United States in time of war would, as under present law, result in loss of citizenship after conviction by court martial. A new section provides for loss of citizenship through the commission of any act of treason against the United States, or attempting by force to overthrow it, or to bear arms against it. Because the penalty is so drastic, it would follow only after conviction by court martial or a court of competent jurisdiction.

The loss of American nationality would result not only from obtaining naturalization in a foreign state or by the taking of an oath of allegiance or making an affirmation or other formal declaration of allegiance to a foreign country but also from entering or serving in foreign military forces if thereby nationality in such foreign country is obtained, accepting employment under a foreign government for which its nationals only are eligible, or voting in a foreign political election or plebiscite.

Expatriation for certain specified acts may occur after a citizen has reached the age of 18 years for the reason that in many foreign countries the duties of citizenship, including that of bearing arms, begin at the age of 18 years.

Citizenship would be lost by a naturalized citizen who resided for 2 years in the foreign state of which he was a national or where he was born if he acquires through such residence the foreign nationality. If he did not acquire such nationality, residence for 3 years would expatriate him. If the residence should be in a foreign country other than that in which he was formerly a national or in which he was born, the period of residence for expatriation would be extended to 5 years.

These provisions for loss of nationality by residence abroad would greatly lessen the task of the United States in protecting through the Department of State nominal citizens of this country who are abroad but whose real interests, as shown by the conditions of their foreign stay, are not in this country. An example of this nature is that of a man 76 years of age, 66 years of whose life had been spent in a central European country. He had remained in the United States but 4 years after his naturalization, and had thereafter resided abroad for about 35 years.

The State Department has also experienced considerable trouble through persons possessing dual nationality—that of the United States and of a foreign country—who continue to reside in the foreign country for many years while insisting upon protection by the Government of the United States. Such persons may have children born abroad who acquire citizenship at birth and also claim the protection of this Government.

The code would give such dual nationals abroad 2 years from the effective date of the code to return to this country and take up permanent residence in order to demonstrate that they have elected to retain American citizenship. Failure to do so would result in the loss of American citizenship.

FURTHER RESTRICTIVE PROVISIONS

While under present law, minor children may acquire citizenship of the United States automatically through parentage until they arrive at the age of 21 years, the code would reduce this age to 18 years.

Under the present law a child born outside of the limits and jurisdiction of the United States of one citizen and one alien parent becomes a citizen at birth, provided the citizen parent has resided in the United States before the birth of the child. No prescribed period of residence in this country of the citizen parent is fixed. Under the code the citizen parent must have resided in the United States preceding the child's birth for at least 10 years, 5 years of which must have been after reaching the age of 16 years. This restriction would prevent the perpetuation of United States citizenship by citizens born abroad who remain there, or who may have been born in the United States but who go abroad as infants and do not return to this country. Neither such persons nor their foreign-born children would have a real American background, or any interest except that of being protected by the United States Government while in foreign countries.

HUMANE PROVISIONS

Under present law no provision is made for the acquisition of citizenship by children through adoption by citizen parents, even though such children may under State laws be entitled to property and other rights that blood children of the parents would possess. Frequently the ties of affection between adoptive parents and their children are very strong. The code would permit their naturalization before reaching the age of 18 years upon the petition of the adoptive parent or parents. However, such children must have been lawfully admitted to the United States for permanent residence, must have been adopted in the United States before reaching the age of 16 years, and must have been adopted and in the legal custody of the adoptive parent or parents for at least 2 years prior to the filing of the petition for the child's naturalization.

Illegitimate children would be treated as other children if legitimated before the age of 16 years and in the legal custody of the legitimating parent or parents.

PROCEDURAL IMPROVEMENTS

Congress is authorized by the Constitution to prescribe "a uniform rule of naturalization." Under the present nationality laws there is great difficulty in the attempt to reach this uniformity.

For example, under a law of 1926 judges of United States district courts are authorized to designate naturalization officers or examiners to conduct preliminary hearings on petitions for naturalization, to take testimony, and to make findings and recommendations to the courts in such cases. If the testimony of the witnesses who vouch for the petitioner is satisfactory, the designated examiner may excuse the witnesses from attendance at the final hearing in court. This procedure in most instances saves the time of the court and the inconvenience and expense to the petitioner and witnesses which would be caused by a second appearance of the witnesses in court. The provision for the designated examiner does not apply to State naturalization courts, which are many times more numerous than the Federal courts. The code would extend this desirable practice to State courts handling naturalization proceedings. There are nearly 1,700 State courts in which such proceedings are entertained.

At the present time the naturalization law does not affirmatively require an examination of the petitioner for naturalization by the Immigration and Naturalization Service concerning his knowledge of and attitude toward the fundamental principles of the Constitution and Government of the United States. This attitude of the applicant is one of the most vital phases of a naturalization proceeding. The proposed code would authorize the Attorney General of the United States to approve the scope and nature of the examination to be given to petitioners for naturalization as to their admissibility to citizenship, so that approprate recommendations made be made to the courts. This would be an added assurance of greater uniformity of interpretation of the law.

One striking example of the lack of uniformity in the present law which would be cured by the proposed code is shown by the provisions concerning the exemptions from the usual requirements for naturalization accorded to the alien spouse of a citizen of the United States. Under the Cable Act of 1922 and a law of 1934, an alien woman who married a citizen of the United States between 1922 and 1934 may be naturalized after but 1 year's residence in the United States, whereas an alien husband who married a citizen wife during such period was granted no exemption. With the act of 1934 increasing the period of residence required of an alien married to a citizen spouse after the enactment of that law, the husband and wife were placed on an equal basis. Some courts, however, construed the 1934 act as permitting the alien husband married to a citizen wife prior to 1934 to be naturalized upon proof of 3 years' residence, although an alien wife of a citizen husband under the same circumstances was required to show but 1 year's residence.

The code has clarified and equalized this situation by requiring but 1 year's residence for either wife or husband if the marriage occurred between 1922 and 1934, and by continuing the present requirement of 3 years' residence on the part of either if the marriage occurred after the passage of the 1934 act.

AMENDMENTS

The amendments are as follows:

On page 8, line 6 (sec. 205, second par.), after the word "child", insert a comma and the following: "whether born before or after the effective date of this act."

On page 27, following line 16, insert an additional subsection to section 317 to be known as subsection (c), to read as follows:

"(c) A person who shall have been a citizen of the United States and also a national of a foreign state, and who shall have lost his citizenship of the United States under the provisions of section 401 (c) of this act, shall be entitled to the benefits of the provisions of subsection (a) of this section, except that contained in subdivision (2) thereof. Such person, if abroad, may enter the United States as a nonquota immigrant, for the purpose of recovering his citizenship, upon compliance with the provisions of the Immigration Acts of 1917 and 1924."

On page 86, at line 8, after the word "States", insert a comma and add the following: "if he has or acquires the nationality of such foreign state."

On page 87, at line 19, change "subsection (g)" to "subsections read as follows:

"(h) Committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, provided he is convicted thereof by a court martial or by a court of competent jurisdiction."

On page 87, at line 19, change "subsection (g)" to "subsections (g) and (h)."

On page 89, at line 11, change "commercial or financial organization" to "commercial, financial, or business organization."

On page 89, beginning at line 21, strike out subsection (e) and insert in lieu thereof the following:

"(e) Who is the wife, husband, or child under 21 years of age of, and is residing abroad for the purpose of being with an American citizen, spouse, or parent who is residing abroad for one of the objects or causes specified in section 405 or subsections (a), (b), (c), or (d) hereof;"

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. SCHWELLENBACH:

S. 4371. A bill to provide for free treatment in Public Health Service hospitals of certain persons engaged in maritime employment; to the Committee on Commerce.

By Mr. THOMAS of Utah:

S. 4372. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Christoffer Hannevig; to the Committee on Claims.

By Mr. McKELLAR:

S. 4373. A bill to amend the act of June 25, 1938, entitled "An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes"; to the Committee on Post Offices and Post Roads.

By Mr. SMITH:

S. 4374. A bill to amend the Agricultural Adjustment Act of 1938; to the Committee on Agriculture and Forestry.

S. 4375 (by request). A bill to amend the Railway Labor Act approved May 20, 1926, as amended June 21, 1934, and for other purposes; to the Committee on Interstate Commerce.

EXTENSION OF CLASSIFIED CIVIL SERVICE—AMENDMENTS

Mr. MEAD submitted three amendments and Mr. ELLENDER submitted five amendments intended to be proposed by them, respectively, to the bill (H. R. 960) extending the classified executive civil service of the United States, which were severally ordered to lie on the table and to be printed.

PRINTING OF HEARINGS BEFORE MILITARY AFFAIRS COMMITTEE ON SELECTIVE COMPULSORY MILITARY SERVICE

Mr. SHEPPARD submitted the following resolution (S. Res. 318), which was referred to the Committee on Printing:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Military Affairs of the Senate be, and is hereby, empowered to have printed for its use 2,500 additional copies of the hearings held before said committee during the current session on the bill (S. 4164) to protect the integrity and institutions of the United States through a system of selective compulsory military training and service.

ADDRESS BY THE PRESIDENT ON THE TWO HUNDREDTH ANNIVERSARY OF FOUNDING OF UNIVERSITY OF PENNSYLVANIA

[Mr. GUFFEY asked and obtained leave to have printed in in the RECORD the address delivered by the President at Convention Hall, Philadelphia, on September 20, 1940, in connection with the two hundredth anniversary of the founding of the University of Pennsylvania, which appears in the Appendix.]

PRINCIPLE OR POLITICS—ADDRESS BY SENATOR BYRNES

[Mr. HARRISON asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BYRNES on September 20, 1940, on the subject, Is It Principle or Politics, which appears in the Appendix.]

ADDRESS BY SENATOR GUFFEY BEFORE AMALGAMATED CLOTHING WORKERS OF AMERICA

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by him at a State-wide meeting of local representatives of the Amalgamated Clothing Workers of America in Philadelphia, Pa., September 21, 1940, which appears in the Appendix.]

STATEMENT OF GEORGE W. ROBNETT ON LIMITATION OF THE PRESIDENTIAL TERM

[Mr. BURKE asked and obtained leave to have printed in the RECORD the statement of George W. Robnett, executive secretary, Church League of America, of Chicago, Ill., before the subcommittee of the Senate Committee on the Judiciary, on Monday, September 23, 1940, on the limitation of the Presidential term, which appears in the Appendix.]

EDITORIAL ON CONSCRIPTION FROM KNOB NOSTER GEM

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial from the Knob Noster Gem entitled "Concerning the Draft," which appears in the Appendix.]

EXTENSION OF CLASSIFIED CIVIL SERVICE

The PRESIDENT pro tempore. The question is on the motion of the Senator from New York [Mr. MEAD] that the Senate proceed to the consideration of House bill 960, extending the classified executive civil service of the United States.

Mr. MEAD. Mr. President, I intend to renew my efforts to secure the adoption of the motion pending before the Senate to take up for consideration House bill 960, commonly referred to as the Ramspeck civil-service bill.

As I explained on Friday of last week, the bill is a very simple measure, easily understood. It passed the House of Representatives without substantial opposition. It is in conformity with the platforms of both political parties. It received the unanimous support of the committee; and it will set up an orderly procedure for the gradual and eventual covering into the merit system of the employees, particularly the rank-and-file employees of the permanent agencies of government.

I said on Friday last that taking into consideration the limitations and restrictions, the bill may eventually cover some 200,000 Federal employees. A careful study over the week end of the numbers that may eventually be protected by the influence of the merit system verifies that statement. I desire to call to the attention of the distinguished senior Senator from Michigan [Mr. VANDENBERG] the fact that the estimate of 200,000 was not a conservative estimate, but was a very liberal one; and I wish to quote from the report of the committee to verify that statement. The Civil Service Commission said:

> There are a large number of low-salaried, part-time, intermittent, and temporary positions to which it would be administratively impracticable to extend the competitive examination procedure. We estimate, therefore, that probably somewhat less than 200,000 positions will be placed in the competitive classified service by the President pursuant to the bill.

So my estimate was fair and justified by the record.

Another point which was made by the distinguished chairman of the Committee on Post Offices and Post Roads [Mr. MCKELLAR] has been the recipient of my consideration likewise over the week end. In order to eliminate the doubt raised before our committee during the hearings and in the Senate on Friday as to what employees are covered by the provisions of the bill, as to whether or not it covers policy-making positions and positions requiring the confirmation by the Senate, I shall, a little later on, offer an amendment which will eliminate from the provisions of the bill policy-making positions and positions requiring the confirmation by the Senate. That will leave the bill applying, as it is the understanding of most of the committee members that it now applies, only to the rank-and-file employees.

I desire to say that, in view of the attitude of both political parties, in view of the attitude of the advocates of the merit system representing both the political parties, and particularly in view of the opportune time at which the bill is called up, I believe there should be little or no opposition to it. The elections are almost at hand. Representatives of both parties are confident of success, I assume, and the bill will empower not the present President but the President who will take over the reins of Government in the next administration to make the decision as to who will be covered within the civil service. Certainly it is not a case of one party attempting to take advantage of another party, but it is a case of both parties desiring to carry out their platform pledges at a time when it is uncertain in the minds of some as to who will carry out the provisions of the bill. It is in their minds the proper time, I believe, for putting into effect the planks contained in the platforms of both parties. Let us keep our promises, and let us entrust to the future President of the United States or the future Presidents of the United States the authority to carry out the mandate provided by this bill.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. MEAD. I shall be glad to yield.

Mr. BRIDGES. When the Senator referred to the future President of the United States, did he have in mind that we are to have just one President all the time? [Laughter.]

Mr. MEAD. So far as the immediate future is concerned—and by "the immediate future" I mean such time as will elapse between 1940 and 1944—my distinguished colleague is accurate, and not only approximately right but perfect so far as his judgment, in my opinion, is concerned. [Laughter.]

Mr. BRIDGES. Mr. President, one more interruption. I am glad the Senator corrects his statement and limits it to 1944. I disagree. I think we shall have another President after this year. I assume from his remarks that when he said "the future President," he meant that after the third term we would have a fourth term, a fifth term, a sixth term, and so on, and then we would have a permanent President. [Laughter.]

Mr. MEAD. There is not any doubt in my mind that that might become a reality if the delegates to subsequent Repub-

lican national conventions persist in the mistakes they made at Philadelphia a short time ago. [Laughter.]

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MEAD. I shall be very glad to yield.

Mr. OVERTON. When will the bill go into effect? Will it go into effect on approval, or at some later date prescribed in the bill?

Mr. MEAD. The bill will go into effect upon the date of its approval; but, insofar as it applies to any individual or any agency or any group of employees it will go into effect only when at some future time the President of the United States by proclamation covers a specific agency within the merit system. Thereafter the Civil Service Commission will have to set up the examination procedure, the examinations will have to be held, and the bill may not go into effect for any one agency or for any one employee until 6 months, a year, or 6 years from now. There is no specific time fixed when it actually shall go into effect, as affecting an individual or an agency. The bill merely gives to the President the power to cover within the civil service, under the restrictions and limitations of the bill, agencies not now within the civil service.

Mr. OVERTON. If the Senator will yield further——

Mr. MEAD. I yield.

Mr. OVERTON. My purpose is to obtain information in respect to the provisions of the bill. The President is authorized, under the provisions of the bill as they now stand, under one Executive order to place under civil service all who are not now under civil service, and are contemplated by the bill. He could do so under one Executive order, could he not?

Mr. MEAD. All those who are not contemplated by the bill?

Mr. OVERTON. All who are contemplated by the bill could be placed in the civil service under one Executive order?

Mr. MEAD. Yes; but that itself would be subject to limitations. First of all, the Civil Service Commission would have to have the additional required appropriations, and that would necessitate their coming to the Congress.

Mr. OVERTON. Those are mere details, which would have to be taken care of administratively after the Executive order had been issued.

Mr. MEAD. Nevertheless they would result in a severe check upon the operation of the proclamation. For example, Congress might withhold the appropriation, and it would take the Civil Service Commission a long period of years to hold the examinations for some 200,000 employees, because, under present circumstances and with present appropriations, it can hardly carry on the ordinary and required list of examinations which must be held without any regard to the pending bill.

Mr. OVERTON. After the President had issued an order, if he should issue such an order, that would fix the status of the respective employees, would it not?

Mr. MEAD. No. After he issued the order the Civil Service Commission would have to set up the examination.

Mr. OVERTON. I understand, but that is merely a detail of administration.

Mr. MEAD. Not one single employee would become a civil-service employee at once.

Mr. OVERTON. Could the President later rescind the order? After he had once exercised the authority could he rescind the order?

Mr. MEAD. He probably could if it had not been carried into effect, but once an agency had been covered within the civil service, or an individual employee had been covered within the civil service, then the President could not rescind the order.

Mr. OVERTON. I assume that once he exercised the authority it would be exhausted, and neither he nor any future President could rescind the Executive order with respect to any particular agency or with respect to all of them.

Mr. MEAD. Speaking generally, the Senator is absolutely correct, but I am assuming that the President might issue an order covering a number of agencies into the civil service, and before the order went into effect he might modify the order, under the orderly procedure which might be permitted within the meaning of the bill; but once an agency is covered within the civil service, no future President could withdraw it from the civil service, as the Senator indicates.

Mr. OVERTON. I doubt whether it could be done, unless there is some provision in the bill which would authorize the President either to withdraw or to modify any Executive order he might issue.

Mr. MEAD. I think perhaps a future Congress might change it, or perhaps an amendment to the bill, as the Senator suggests, might do it.

Mr. OVERTON. That is what I am getting to; if an Executive order has been issued, before the order could be rescinded it would require an act of Congress in itself to rescind the order.

Mr. MEAD. I am almost ready to believe that the Senator's statement is correct. However, the most liberal interpretation would permit the President to modify his order before it became effective.

Mr. OVERTON. I think the bill should be modified, and the Senator might have an amendment prepared which would give the authority to the President to modify or rescind any order.

Mr. MEAD. That would be agreeable to me, except that once an agency or an employee were covered within the merit system, I would not want a future President to deny such employee or agency civil-service status without congressional action. Otherwise, I should be very glad to consider an amendment of that character.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. WHITE. It is perfectly certain that, while the President may cover any office into the civil service, there is no language in the bill itself which would authorize him to withdraw from the civil service an office once placed within it.

Mr. MEAD. That is absolutely correct. As I suggested, I doubt very much whether the President would have power to take out of the civil service such an office; but I am merely trying to give the statement of the Senator from Louisiana a very liberal interpretation, and in doing so I will say that if the President issued an order and discovered that there was a mistake in the order, he might modify the order before it actually went into effect. But that would be discretionary, as I interpret the language.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. CLARK of Missouri. On that point, assuming that any future President would be desirous of stooping so low as to perform an act like that of President Hoover, covering in 60,000 employees 3 or 4 days before he went out of office, he would have exhausted his powers, and the incoming President would not have power to make any change.

Mr. MEAD. That is correct.

Mr. CLARK of Missouri. So that any President going out of office could, under the provisions of the bill, do what Mr. Hoover did and cover 60,000 employees into the civil service by a partisan action.

Mr. MEAD. Except that under the provisions of the bill, which were not the provisions of the law when President Hoover took that action, the President, if he issued such an order just before he went out of office, would find that it required a congressional appropriation to enable the Civil Service Commission to conduct examinations for 60,000 employees. Congress might withhold the appropriation. If he issued such an order, the then President of the United States would have his proclamation held up for perhaps a long period of time before the Civil Service Commission could set up the standard examination required or the series of examinations required for some 60,000 employees. It would be held up until all the 60,000 examinations had been held and all the ratings established and the eligible rosters published. An examination of that magnitude under the restrictions and the orderly procedure prescribed in the bill could not be accomplished in a year. Therefore a President going out of office, with only a few days or months to serve, would see the futility of action

such as that taken in the administration of President Hoover. Therefore, the Congress is really prescribing the limitations which will govern the Presidents in the future in that regard.

Mr. DANAHER. Mr. President, the bill actually would do for the employees who would come within it what has already been done with respect to postmasters, would it not?

Mr. MEAD. If I understand the question asked by my distinguished colleague from Connecticut, it is whether the provisions of the bill would confer upon other employees what has already been conferred upon postmasters.

Mr. DANAHER. Yes.

Mr. MEAD. I think that is correct.

Mr. DANAHER. In other words, the bill would blanket them in under a noncompetitive examination, taking into account their experience and their status in the service at the time the law becomes effective. Is that it?

Mr. MEAD. No. Unlike bringing within the civil service the postmasters, the bill would merely authorize the President of the United States to issue a proclamation bringing within the civil service from time to time agencies now outside the civil service, provided a real, authentic civil-service examination were held under the direction of the Civil Service Commission; provided the employees have a certain number of years of seniority service; provided the employees pass the examination; and provided they are recommended by their superiors as being worthy of the test applied.

In the case of postmasters, Congress specified that they should be brought within the civil service at a specified time, and left no discretion with the President. Under this bill we leave the President to make his own decision as to the time element and the agency involved, whenever he believes that a given agency should be brought within the civil service.

Mr. DANAHER. But otherwise, except as the Senator has pointed out, it is the same idea?

Mr. MEAD. That is correct.

Mr. DANAHER. If the Senator will give me some information about one other thing which has bothered me as I have listened to his argument, I shall thank him. If the civil service can give a well-prepared noncompetitive examination, and if all the employees must take the examination before ultimately they can qualify, why would not such an examination also, in order to obtain those best qualified and in order to have a real merit system, be open to all candidates for similar posts?

Mr. MEAD. From time immemorial the Congress of the United States has been enacting legislation and the Presidents of the United States have been issuing Executive orders blanketing in employees who, by the experience and their training and their seniority, have proven their capacity and their ability to do the work. The only difference between the regulations set forth in the bill and the proceedings which have characterized the extension of the merit system in the past is that the bill really requires a bona fide civil-service test of fitness, while in the past, as a general rule, Presidents have, without examination, without any discretion on the part of the Civil Service Commission, without any limitations as to seniority requirements such as those included in the pending bill, blanketed great numbers into the civil service by merely issuing Executive orders. We feel that the bill proposes by far the most advanced and perfected system that has been developed up to the present time.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. MEAD. Yes.

Mr. DANAHER. The question I wish to ask the Senator is predicated on a statement of fact in Hartford, Conn., a few weeks ago, when Mr. Philip J. Gallagher, who is the second national vice president of the National Association of Postmasters, outlined to the Connecticut postmasters the plan to freeze 7,100 postmasters into the classified civil service upon a noncompetitive examination basis. He went on to point out how the President would operate under the plan, substantially as the Senator from New York has shown. There were present other speakers, all of them members of the Federation of Post Office Clerks, and I read from the report of the Hartford Courant:

> Speakers urged those present to support the sponsors who appointed them to office in the coming elections. Mentions of President Roosevelt, Senator Maloney, and Postmaster Farley brought cheers from the audience, as one speaker testified, "The election is in the bag."

That is the report, let me say to the Senator from New York, of the way the postmasters in Connecticut, at least, in their annual convention in August, were led to think this proposal would operate.

Does the Senator from New York feel that the 200,000 or more civil servants who are not now under the civil-service laws, but who would be permitted to take the noncompetitive examination contemplated by the Ramspeck bill, would also be asked to feel under obligation to their sponsors and be asked in the coming elections to perpetuate them in office? Or, to put it another way, would the Senator from New York feel that that would achieve a real merit system for such employees?

Mr. MEAD. In the first place, I hope that anything I say to my distinguished colleague from Connecticut, whose judgment and whose leadership I respect, will not at all reflect upon the good sound judgment of the speaker who lauded the President, and who praised the colleague of the Senator from Connecticut, and who expressed a very laudatory and praiseworthy desire to see them reelected.

Mr. DANAHER. If the Senator please, let me say that the Senator from Connecticut, my colleague [Mr. MALONEY] was not present. Let me exculpate him from that.

Mr. MEAD. Yes; all of which increases the effectiveness of the testimonial paid to the Senator's distinguished colleague, because lauding a man when he is absent, and enthusiastically approving his efforts toward reelection, I think is a far greater compliment than if it were done in his presence.

But while agreeing with the sentiments expressed by the distinguished speaker from whose remarks the Senator from Connecticut just quoted, let me say that since that time we have enacted the Hatch law, and it applies to the non-civil-service employees the same restrictive rules and regulations with reference to elections which we have always in the past applied to employees within the civil service. Therefore I think my distinguished friend from Connecticut, who I believe supported the Hatch Act, will have no need to fear that the employees affected by this bill will become politically active in the forthcoming campaign, and if we enact the proposed legislation and it becomes law this month, I do not believe the Senator from Connecticut has any idea that the President of the United States will have time to issue an Executive order and that the Civil Service Commission will have opportunity to set up the standards for the examinations and hold them and establish the eligible roster, and finally cover the employees within the civil service. My prediction is that it will not be accomplished under any circumstances within the period of 6 months. Only a comparatively small number will be brought in under the civil service within that time.

Mr. DANAHER. Mr. President, one other question, if the Senator will kindly yield.

Mr. MEAD. I yield.

Mr. DANAHER. I thank the Senator. So it comes down to this, after all, that the Senator really argues that because the Civil Service Commission will not have time to hold competitive examinations in order to obtain the best qualified list of eligibles for each position, we should adopt this legislation, and take into the civil service only those persons who can pass the noncompetitive examination. Is not that about it?

Mr. MEAD. Oh, no. I think the question of my distinguished colleague should have some reference to what I said about the Hatch law.

Mr. DANAHER. Oh, yes.

Mr. MEAD. The Senator brought up the question of the political activities of a group of men who, when they were brought within the civil service, were not under the Hatch law, because there was no Hatch law at that time. I think

the Senator should also make some reference to the fact that we are merely authorizing a future procedure which no political party can take advantage of right now because of the time element.

I firmly believe that my party will be successful in November. I have no dispute with the representatives of the opposition who believe their party will be successful; but I maintain, and I think the Senator agrees, that now is the opportune time, when it will be to the advantage of neither side, to authorize some future President to exercise the authority within the very severe limitations provided by the pending bill.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. MEAD. I yield.

Mr. DANAHER. I will say, in passing, that I should think a better time would be in January, for then there would be no question as to which President might undertake to issue the Executive order, for it is perfectly apparent that anyone who today occupies one of these positions and who looks forward with anticipation to being blanketed into the civil service under this measure will not lose any sleep over who is his sponsor or to whom he is obligated for his permanent position.

What I am getting at is that after everything is said and done, if we view this proposal frankly, openly, and squarely, we shall see that it will not achieve the selection of the best-qualified persons for the posts comprehended within its scope, but actually will blanket into the United States civil service some 900,000, or by now a million persons who have been given positions during the last 5 or 6 years. Let us face the situation frankly. The fact of the matter is that almost every one of these persons has been appointed within the last 5 or 6 or 7 years.

I will tell the Senator another thing by way of my own experience. I have been a Member of the Senate for 20 months, and I have yet to receive a favorable letter from a department to which I have written in behalf of the finest-qualified applicants who could be found. On the other hand, the departments thank me for my interest and say that when the opportunity is open to consider a particular young man I have sponsored I will be advised.

I sent a test case to a department. He was a boy who had stood first in his class at Yale. He had won every prize that was offered during the time he was there. Later he stood among the first 10 in his class in the Yale Law School. Does the Senator suppose he received a job? He did not. Not only did he not get a job, but in the very same week I recommended him for a position I happened to learn of the sponsorship of another young man, the sponsor being a member of those who are now in the majority, if I may be so crude as to say it, and, quite frankly, the one who was so sponsored was the one who received the job.

I did not see the boy I sponsored until I received his record as compiled by his professors in his school. He cannot even get on the roll. Meanwhile what opportunity is there for other well-qualified citizens of the United States to get on the rolls and to do a decent job?

The Senator could as well say to those persons who are affected by the legislation: "Listen; we will take care of you; we will put you on the rolls; we will pass the Ramspeck bill, and we will freeze you in your jobs for life, but do not forget, it will be after the election. You cannot get it before the election. So remember, after election, if you vote right, and we win, our President will take care of you."

Is not that a frank statement of the situation? [Laughter in the galleries.]

Mr. MEAD. Mr. President, the frank statement, I believe, is the Senator's report of his disappointment in his attempt to secure proper recognition for his constituents who desire to affix themselves to some Federal pay roll. I believe that frank confessions of discouragements and failures are as rife on this side of the aisle as the one which has just been made by the distinguished Senator from Connecticut. However, I do not believe he wants to raise that as his objection to the measure under consideration. I believe he will agree with me that since the Congress of the United States enacted the Hatch Act and placed under discipline, so far as political activities are concerned, every employee of the Government outside the civil service, he need have no fear that the employees of the civil service, or employees outside the civil service, will take an open and militant part in the forthcoming campaign.

I know he will admit that if the bill should become law, candidates for public office in both political parties—even candidates for the Presidency—would assure the people of America, in keeping with the platform of the party of which they may be candidates, that they will embrace the opportunity to extend and expand the merit system so that no distinct advantage will be gained by any of the various candidates for office as a result of the passage of the bill.

Let me state one further thought, and then I shall have concluded. The Hatch Act, enacted preliminary to this bill, sets forth provisions governing the activities of employees outside the civil service in the forthcoming campaign. The Senator makes a point about opening up opportunities to all the people, rather than merely to those who have been filling the positions for 5 years, 10 years, or 20 years in some instances. There is a tradition on this subject among the leaders of his party, going back as far as President Chester A. Arthur. In President Arthur's time such employees were all blanketed in without examination. The same thing was done in the administrations of Harrison, McKinley, Theodore Roosevelt, William H. Taft, and Warren Harding. Only with the beginning of the administration of Calvin Coolidge were competitive and noncompetitive examinations required. That practice was followed in the next administration, and it was extended and made more restrictive under the administration of the present President of the United States. So, with all these safeguards, I cannot see any occasion for worry or fear on the part of the Nation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. BARKLEY. The Senator from Connecticut, in recounting his disappointment, created the impression that perhaps he had been reading my mail [laughter], because I have had not one but many occasions to be disappointed over the failure of someone whom I had recommended to get a job. We all know how such things happen. We receive letters from persons in our States and outside our States who delude themselves into the belief that we have influence. Such a belief is a pure delusion, but it is difficult to convince our constituents and friends that such is the case. It is always easier to write a letter to some Department, or refer the letter which we receive to some Department, than to explain to a friend or constituent why we cannot do anything. Of course, we expect the appointing authority to examine more minutely into the qualifications of the applicant than we could possibly do, with all we have to do in the way of legislation.

I dare say the Senator from New York was very conservative and mild in his statement when he suggested to the Senator from Connecticut that there are as many, if not more, disappointments on this side of the aisle with respect to getting jobs for people than there could be on the other side of the aisle.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. DANAHER. Let me say to the Senator from Kentucky that I have never obtained a job for anybody. One would think that once in a while I could at least obtain a job for a waiter; but apparently no Republican from Connecticut is qualified.

Mr. BARKLEY. During the Hoover administration, I tried to obtain a job for a charwoman, but I never got anywhere.

Mr. DANAHER. I was not then in the Senate.

Mr. BARKLEY. The Senator might have helped me if he had been here. Would he have helped me if he had been here?

Mr. DANAHER. Let me say to the Senator from New York and the Senator from Kentucky that, so far as I am concerned, I am pinning no roses on Republican politicians who control patronage. I have nothing of that sort in my system. I am saying that if the Senator from New York would frankly, openly, and avowedly say that this is a political measure, and that "We will take care of these people," he would be perfectly within his rights. He has the necessary votes to pass the bill. They can pass anything they want to pass on the other side of the aisle. [Laughter.]

Let me point out that the Hatch Act, to which the Senator from New York referred, went into effect long before the postmasters' convention in Connecticut in August to which I made reference. I dare say the Senator from New York was not present one day a few months ago when I recounted the experience with the postmastership in Southport, in my State. Let me briefly recapitulate it. Under the merit system, which the Senator from New York is espousing so avowedly and openly today, there was a Republican incumbent in the postmastership in 1933, and he was promptly displaced. A temporary appointee was named. Under the law the temporary appointee could fill the office for some 6 months, as I recall, before a civil-service examination should be called for. It was called for, and the only person who passed the examination was the former Republican incumbent. So, there not being a complete register, the Post Office Department called for a new examination. It seems it was necessary to have three candidates who could pass the examination, but there was only one, and he was the Republican, who proved that he knew the job. So another examination was called for, and again the Republican was the only one to pass the examination; but this time the temporary appointee had to be displaced and his sister took his place. With a new temporary appointee, it was necessary to have a new examination. That situation continued until March 1940, the same cycle being repeated every year for 6 years. Every time the only person to pass the examination was the former Republican incumbent, until March of 1940, when some fellow who had been a dentist in Southport passed the examination. He achieved a mark of 73, but he was a Democrat. Was there a full register? There was not. There were two candidates—the Republican, with a mark of 86, and the Democrat, with a mark of 73. The Democrat got the job.

Mr. President, I do not know whether or not we need to go to Dale Carnegie to learn how to win friends and influence people. I do not know what we should do, but the fact remains that when anybody tells us, as experienced people, that the proposed program is nonpolitical, or that it is based upon merit, or that it purports to give the people the best kind of service as a result of competitive examinations, when incumbents are asked, "What color is blue vitriol?" and they answer "blue" and pass the examination, that is a lot of "bunk."

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. BARKLEY. Of course, I do not know anything about the appointment of a postmaster at Southport, Conn.; but if the appointee was a dentist, I suppose he regarded the appointment as toothsome. [Laughter.]

Mr. DANAHER. He said, "Open wider." [Laughter.]

Mr. BARKLEY. We all know, of course, that every President who has been in office has dealt with the question of civil service in one way or another. I recall that just before Woodrow Wilson was inaugurated in 1913 President Taft issued a blanket order covering all fourth-class postmasters into the civil service without examination. They were really "frozen." No examination was required of them. They were covered in automatically. That order was amended, at least to require an examination.

As I understand, under the terms of this bill the President may from time to time cover agencies and their employees into the civil service. They do not go in automatically. They may not even take the noncompetitive examination unless the head of the department or agency certifies that they have been in the service for a certain length of time and that they have rendered meritorious service. If they are unable to obtain such a certificate, they are out. They may not take the noncompetitive examination, and, of course, may not take any other sort. The bill would give them the privilege of at least assuming that their experience is worth something.

As I understand, that is the basis upon which the noncompetitive examination is provided. If the employees have been giving meritorious service and have been in their positions long enough to have had valuable experience, the law takes that fact into account and permits them to establish their qualifications by noncompetitive examinations.

In all probability years would be required for the 200,000 referred to to obtain a civil-service status, because of the examinations, because of the requirement for certification, and because no President, no matter who he might be, could blanket all the positions into the civil service at one time. If he should do so, the Civil Service Commission would be swamped. It is already swamped because of the large number of competitive and noncompetitive examinations being held in order that men and women may establish their qualifications for positions.

By no stretch of the imagination could the present occupant of the White House or the Civil Service Commission issue an order or hold an examination in time for any one of the 200,000 to know prior to the November election whether or not he was to be appointed or continued in office. So the political side of the question is entirely out. If, as our friends on the other side hope—with not much fervor, but at least with a faint hope—they should win in November, their President would have the same right, either to take the proposed action or to refuse to do so. It is not mandatory on the President. It is only permissive.

As I understand the amendment which the Senator intends to offer, excluding policy-making officers and those whose nominations must be confirmed by the Senate, it would automatically exclude United States district attorneys, United States marshals, and collectors of internal revenue. Is that correct?

Mr. MEAD. Yes.

Mr. BARKLEY. And probably others.

Mr. MEAD. That is correct.

Mr. BARKLEY. Frankly, I do not see any reason why a United States district attorney, who has jurisdiction in a whole State, or a large portion of a State, over the prosecution of criminals for violation of Federal laws, should be under civil service. He may not be a policy-making officer in the same sense as a Cabinet officer, but he certainly has wide discretion in determining what should be done in the performance of his duties. I think such officers really ought not to be covered into the civil service.

PROPAGANDA TO FORCE UNITED STATES INTO WAR—ARTICLE BY CHARLES G. ROSS

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me to present another matter? It is necessary for me to leave the Chamber to attend a committee meeting.

Mr. MEAD. I yield.

Mr. CLARK of Missouri. Mr. President, in the St. Louis Post-Dispatch of September 22 there appeared one of the most illuminating and one of the most important articles, in my opinion, which has appeared in any newspaper or magazine in the United States in the course of a great many years. It is written by Mr. Charles G. Ross, one of the leading members of the press gallery, formerly president of the Press Club, also formerly president of the Gridiron Club, and one of the most careful masters of research and statement who has been in Washington in my time. The article is entitled "Inside Story of 'Propaganda Engine' To Send United States Army and Navy Equipment To Britain—Behind-the-Scenes Group, Including War Advocates, Takes a Hand in Campaign—Hon. William Allen White and Others Are Arousing Public To Try To Influence Roosevelt's Action."

I purpose on tomorrow, or as soon as I can obtain the floor, to make some observations on the disclosures contained in

this article. Meanwhile I ask unanimous consent that the article may be inserted in the Appendix of the RECORD.

The PRESIDENT pro tempore. Is there objection?

Mr. BARKLEY. Mr. President, reserving the right to object, I am not going to object, but I should like to ask the Senator a question. Does Mr. Ross deal with propaganda issued every week from 17 Battery Place, New York, by an organization which issues a sheet called German Information, or something like that?

Mr. CLARK of Missouri. I do not believe he does. If the Senator has any thing along that line, I will be glad to join in putting it into the RECORD. I will say to the Senator from Kentucky, since he has asked the question, that the article of Mr. Ross deals with the connection between the William Allen White committee and the so-called Miller group, which openly and notoriously is urging and seeking to bring about the entrance of the United States into the war by their propaganda activities, and also it discloses the authors of a speech recently made by General Pershing and discloses that they have been and are openly and notoriously in favor of a declaration of war?

Mr. BARKLEY. I merely asked the question because I supposed the Senator is, as are other Senators, getting a publication of some kind called German Information.

Mr. CLARK of Missouri. Yes; and I throw it in the waste basket.

Mr. BARKLEY. That is a pure propaganda sheet and is so recognized. I am not in any way impugning Mr. Ross' motives, for I have the highest respect for him, but if we are going to put things in the RECORD which we regard as propaganda we ought not to cull out the emanations of one organization and ignore the others.

Mr. CLARK of Missouri. I will say to my friend from Kentucky on that point that I introduced a resolution a year ago or nearly a year ago for the purpose of appointing a Senate committee to investigate all sources of propaganda calculated or tending to change the neutral position of the United States, which resolution was unanimously reported from the Foreign Relations Committee, and has since been stifled in the Committee to Audit and Control the Contingent Expenses of the Senate. I agree with the Senator from Kentucky that all sources of propaganda seeking to change the neutral position of the United States ought to be investigated, and if he will exert his great influence on the Committee to Audit and Control the Contingent Expenses to report that resolution, and it can be adopted by the Senate, I think that consummation so devoutly to be wished could be brought about.

Mr. BARKLEY. I understand the Senator's resolution was introduced in connection with the neutrality law, and was originally designed to ascertain whether there was any propaganda with respect to a change in our neutrality law in September, October, or November of last year.

Mr. CLARK of Missouri. If the Senator will permit me, the resolution was intended to cover propaganda designed to change the neutral position of the United States.

Mr. BARKLEY. That is, it was introduced prior to the enactment of the neutrality law?

Mr. CLARK of Missouri. It was introduced prior to the enactment of the last neutrality law.

The PRESIDENT pro tempore. Is there objection to printing in the RECORD the article presented by the Senator from Missouri? The Chair hears none, and it is so ordered.

Mr. MINTON. Mr. President——

Mr. MEAD. I yield to the Senator from Indiana, because I understand he desires to discuss the same point.

Mr. CLARK of Missouri. I apologize for intruding, but it was necessary for me temporarily to leave the floor.

ARTICLE BY CHARLES G. ROSS ON WALTER-LOGAN BILL

Mr. MINTON. Mr. President, in view of what the Senator from Missouri has said concerning Mr. Charles G. Ross, with which I entirely agree, I should like to insert in the Appendix of the RECORD, another article by Mr. Charles G. Ross, of May 18, 1940; I hope the Senator from Missouri will concede the ability of Mr. Ross as a research expert in that case, when he says that the Walter-Logan bill, which is now before the Senate, is just the reverse of the so-called court "packing" bill, and shows that the Walter-Logan bill would bring about a form of judicial censorship.

Mr. CLARK of Missouri. I have not read the article to which the Senator from Indiana refers. I have, of course, no objection to its insertion in the RECORD. I may agree with Mr. Ross' conclusions and I may not. My particular reference to him was as to the care with which he collected facts, because his article which I desire inserted in the RECORD is a factual record rather than one of conclusions.

Mr. MINTON. I think Mr. Ross has some facts in this article, and I commend them to the attention of the Senator from Missouri and hope he will read them. I ask unanimous consent that the article be inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENDING THE CLASSIFIED CIVIL SERVICE

The Senate resumed consideration of the motion to proceed to the consideration of the bill (H. R. 960) extending the classified executive civil service of the United States.

Mr. GIBSON. Mr. President, I have been interested in what the Senator from New York has had to say about the civil-service bill, and I rather expected to vote for it; yet I noted what he said about the Civil Service Commission.

I picked up a late issue of the Washington Post and read that the Civil Service Commission had ruled or would rule that National Guard men when they were called into the Federal service came under the Hatch Act, and it might be inferred that draftees, when they come into the service will also come under the Hatch Act. If we are going that far with men who are drafted and taken from civil life, if we are putting them into the Army and Navy, and saying that they come under the Hatch Act and cannot express their own political opinions, it seems to me we are taking a very dangerous step. I do not know whether the chairman of the committee knows about this, but I hope that the report in the Washington Post, which I got about 10 or 11 o'clock last evening, is wrong and that the Civil Service Commission will correct it or the Congress will see that it is corrected. If the Commission intends to rule that a man called into service for a year against his will, whether a National Guard man or a draftee, comes under the Hatch Act, I do not believe such a thing was within the mind of the sponsor of the Hatch Act when he introduced the original measure; and I hope it was not.

Mr. MEAD. I thank my distinguished colleague from Vermont for his contribution, and I feel that I am in agreement with him that it was not contemplated in the provisions of the Hatch Act to cover the political activities of those in the military service.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. ELLENDER. A few moments ago the distinguished Senator from Connecticut [Mr. DANAHER] propounded a question which I should like the Senator from New York to answer, and that is with respect to the reason why it is not feasible to hold competitive examinations for all the positions that might be covered by the bill. I think it would be very enlightening to the Senate to find out why it is not feasible to hold open competitive examinations.

Mr. MEAD. Does the Senator mean wide-open competitive examinations?

Mr. ELLENDER. Yes.

Mr. TYDINGS. Mr. President, will the Senator from New York yield to me?

Mr. MEAD. I am glad to yield to the Senator from Maryland.

Mr. TYDINGS. I was interested in the statement of the Senator from Vermont. I am not clear about it, but it runs in my mind that the Army regulations themselves prevent members of the Army taking part in political campaigns. I am not certain, but I think that is true. The Senator from New York will recall that very few Army and Navy officers have a vote. If they live on governmental reservations they

are prohibited by law from voting. They have to reside on State soil in order to vote, and it is my recollection—I am not definite about it—that all those who belong to the Regular armed forces are prohibited by Army regulations from participating in politics. I can see the reason for it, although in the case of draftees it might be unjust. But the Regular Establishment, as I recall, is prohibited by Army regulations from taking part in political activities. I may be in error, but I have that very definite thought in my mind from the brief association I had with the Army some 20 years ago. At any rate, it would be wise to see what the regulations provide before we go too far with the subject, and whether or not it would be equitable to apply them to the new Army that is now being raised, because there are many sides to that question. I can sympathize with the position of the Senator from Vermont as to the draftees. I know that in some cases absentee voting is permitted, and that soldiers can vote in some States which have laws to that effect, but, generally, members of the Regular Establishment, my recollection is, are already prohibited from taking part in political campaigns by Army regulations rather than by law.

Mr. GIBSON. Mr. President——

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from New York yield to the Senator from Vermont?

Mr. MEAD. I yield.

Mr. GIBSON. I merely wish to answer the Senator from Maryland. He is correct; I believe that there are such Army regulations affecting the Regular Army. I do not think the regulations go so far as to prohibit voting, but they do place restraint on political activity. Those regulations, however, are not nearly so drastic and the punishment provided is not nearly so severe as that laid down by the Hatch Act. It seems to me a very dangerous precedent for our democratic process of government in this country to draw a million men into the service, and say to National Guard officers and noncommissioned officers and draftees who have friends and families back home, and many of whom have been active in civil life "you are in danger if you say anything as to your political views." These men are practically threatened with jail if they forget they are no longer free men.

Mr. TYDINGS. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. TYDINGS. I think the Senator from Vermont is right, as I interpret what he says. It boils down to this, that such regulations as the Army has and may have are all the regulations that ought to affect the draftees; they ought not to be subject to the Hatch Act and to the Army regulations, too; and if there are proper provisions in the Army regulations governing members of the Regular Establishment, then, the Hatch Act ought not to put an extra blanket over them, because they will be subject to the Army regulations and discipline, and that will be sufficient, in my judgment, to prevent any breach of the law of a political nature.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. Yes.

Mr. VANDENBERG. May I ask the Senator from Vermont if the information to which he has referred was not contained in the statement issued by the Civil Service Commission?

Mr. GIBSON. Yes; it was.

Mr. VANDENBERG. What has the Civil Service Commission got to do with the rules and regulations governing the Army?

Mr. GIBSON. None, but it has with the Hatch Act.

Mr. CONNALLY. The Senator from Texas did not vote for the Hatch Act; but I can readily see how this status is arrived at. The Civil Service Commission has been given jurisdiction to look after the administration of the Hatch Act; has it not?

Mr. MEAD. It has.

Mr. CONNALLY. It has charge of the administration of the Hatch Act. The Civil Service Commission has nothing to do with the Army or Navy as such; but in the draft act we preserved the positions of civil-service employees who may enter the Army or the National Guard; so in a sense they are still members of the civil establishment. They are only suspended; they are only on furlough; and by reason of their still holding on to the civil jobs to which they may return after their military training is over they may go back and reclaim, by specific provision of law, the civil-service positions which they formerly held. So the Hatch Act would certainly seem to apply to them, according to my view; and it seems to me the Civil Service Commission is probably correct in the view that so long as such persons hang on to their civil-service positions, even though they may be suspended, they must abide by the terms of the Hatch Act.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. VANDENBERG. I can see the logic of the application which the Senator makes to ex-civil-service employees who are taken from the civil service.

Mr. CONNALLY. They are not "ex." They are still civil-service employees.

Mr. VANDENBERG. Suspended civil-service employees, then.

Mr. CONNALLY. Yes; that is correct.

Mr. VANDENBERG. But I call the Senator's attention to this fact—and the Senator from Vermont will correct me if I am wrong. The statement issued by the Civil Service Commission is not confined within any such narrow limits.

Mr. CONNALLY. I have not seen it.

Mr. VANDENBERG. It warns all members of the National Guard that when they are inducted into the service they fall under the prohibitions of the Hatch Act. Is not that correct?

Mr. GIBSON. That is exactly correct.

Mr. CONNALLY. I have not read the Civil Service Commission's statement, but I am sure the Senator is in error. I cannot conceive of the Civil Service Commission assuming to take jurisdiction over the military and naval personnel, unless the military or naval personnel has enjoyed a civil service or governmental status.

Mr. VANDENBERG. That is what I am inquiring about.

Mr. CONNALLY. The Senator from New Mexico [Mr. HATCH] is here, and I am sure he can throw light on this matter.

Mr. HATCH. Mr. President, the Senator from New Mexico has just come on the floor, and has been trying to get the drift of the discussion which has been going on. I have not seen the ruling to which the Senator evidently has been referring. Something was said about the young men in training.

Mr. GIBSON. I should like to tell the Senator what is under discussion if I may. I saw in the Washington Post, which I picked up about 10 o'clock last evening, a statement that the Civil Service Commission had ruled that all members of the National Guard, when inducted into the Federal service, become subject to the Hatch Act; and the statement implied that the same principle would be applied to draftees. That statement was in the Washington Post, which I picked up last evening—that all members of the National Guard, when they go to drill for 2 hours and when they are inducted into the Army of the United States for a year's service, are then subject to the Hatch Act. I knew the author of the law had no such idea in his mind, and I merely expressed the hope that that interpretation of the law would be corrected, because it is wrong in principle.

Mr. HATCH. I have not any comments to make about the National Guard. I am not familiar with the set-up and do not know whether or not members of the National Guard would come within the term "employees of the executive branch of the Government." That is the term used in the act itself.

I am not much worried one way or the other about the political activities of members of the National Guard when

they are inducted into actual service. Probably the ruling of the Civil Service Commission is correct as to them. What troubles me is the inference that the young men called into training are within the prohibitions of the act.

My only concern about that matter is that those young men are involuntarily drawn into the Federal service; and that fact raises a very nice constitutional point, for one of the basic principles set forth in the opinions which uphold the validity of this type of legislation is that a man has a voluntary choice. He may engage in political activity if he desires, because he has a right to surrender his job and go out and be just as independent as any other person. That is a nice distinction made by Mr. Justice Oliver Wendell Holmes. The draftee has no such privilege. He is just like a man on relief in that respect. He is where he is because he is compelled to be there. He has no choice about the matter. In my opinion, for whatever it may be worth to anybody, he certainly is not an employee of the executive branch of the Government.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. Yes; I yield.

Mr. VANDENBERG. In order to make specific the thing the Senator from Vermont and I were discussing, I quote from the publication, as follows:

Application of these principles—

Referring to the Hatch Act—

the Commission said—

That being the Civil Service Commission—

makes officers and members of the National Guard subject to the statute while on active duty and on so-called drill nights.

And the conclusion seems to be based on the fact that they are drawing their pay from the Federal Treasury.

If that line of logic would apply to the National Guard men, it would apply to the conscripts. Perhaps the conscript has an additional right to protection such as the Senator from New Mexico has indicated. I should not think the Hatch Act applied to either one of them.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. MEAD. I yield.

Mr. HATCH. The Civil Service Commission, in basing its ruling on the fact of a Federal employee drawing his pay from the Federal Government, is taking into consideration something which is not in the act at all.

Mr. VANDENBERG. What would be the difference between the status of a National Guard man in that aspect and the status of a W. P. A. worker?

Mr. HATCH. The National Guard man assumes his duties purely voluntarily.

Mr. VANDENBERG. I mean, so far as concerns identification by means of the fact that he is paid from the Federal Treasury.

Mr. HATCH. As to the W. P. A. worker, there is a specific section of the law which relates to persons receiving relief. There is another section of the law which relates to persons in the employ of the executive branch of the Federal Government. Persons employed in the executive branch of the Federal Government are prohibited from political activity. There is not a word about the pay, because they are our own employees. We may say to our employees, "You may do this, or you may not," just as we choose. The pay of the Federal Government does not enter into the matter except as a matter of fact that, of course, being employees of the Federal Government they are paid by the Federal Government.

Mr. VANDENBERG. What is the opinion of the able Senator from New Mexico, who is the supreme court on this subject so far as I am concerned——

Mr. HATCH. Not at all.

Mr. VANDENBERG. What is his opinion of the statement of the Civil Service Commission that officers and members of the National Guard are subject to the Hatch Act when they are on active duty, or on drill nights?

Mr. HATCH. Again I state that my opinion in construing this act is of no more weight than that of any other Senator. The officials charged with the enforcement of the act and its interpretation are the ones whose opinions are entitled to weight. My own thought is, however, that members of the National Guard probably are under the act when they are in actual service. I also have the general impression that they would be prohibited from political activity by Army regulations as well.

Mr. GIBSON. Mr. President, will the Senator yield at that point?

Mr. MEAD. I yield.

Mr. GIBSON. It is true that the Army has certain regulations governing political activity.

Mr. HATCH. Yes; probably more stringent than these.

Mr. GIBSON. But I cannot conceive of any rightful reason why National Guard men, really forcibly taken out of their civil life for a year, should be threatened with two punishments—one under the Hatch Act and one under Army regulations.

Mr. HATCH. Mr. President, there is a philosophy which probably would answer the Senator's question. The military service, whether National Guard or Regular Army, should forever remain out of politics, for the reason that there is always a conflict between military and civil authority. The military must never control the country.

Mr. GIBSON. That is the very thing which makes me fearful about this matter. Of course, we do not expect them to go down the company street and get up on a soap box and make an oration, and there are regulations which prohibit that sort of thing.

Mr. HATCH. The Army regulations prohibit that, without any so-called Hatch Act.

Mr. GIBSON. But when we are creating a tremendous army of 1,200,000 men, taken out of civil life, and threatening them that they may no longer express themselves on political matters in this country—a thing that some of them have been used to all of their lives—I say that the very soul of democracy is being threatened. It is a club that should not be held over them.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from New York yield to the Senator from New Mexico?

Mr. MEAD. I yield.

Mr. HATCH. When the Senator speaks of drafting men out of civil life and putting them into training he is saying something in which I agree with him. I say there is a decided distinction. These men are not in the Army, they are in the service for training, and while they are going through the involuntary service of training, they certainly should have all the independence any other citizen has. When they go into the Regular Army, however, there is a different situation. I think that is a distinction which the Senator should think through.

Mr. GIBSON. I have been trying to think it through since I was somewhat shocked when I read the newspaper article which has been referred to. It does not seem right to have any such thing as that in a democracy.

Mr. HATCH. The Senator can see how that could be carried on and on in the building up of a huge military machine. If the military machine were permitted to engage in purely political matters, they could control every election in this country; which must never come about.

Mr. GIBSON. It is our heritage to engage freely in political elections. If a man chooses to go into the Regular Army, he is forbidden by regulations from doing what the Senator has described, and rightly so; but when men are taken against their will, in some cases, and unexpectedly, and probably against their will in the case of many National Guard men, to have it said that they cannot express their opinions and cannot take some part in politics when they are in fact only training, when we are not in a war, and doing that in an election year, it seems to me is the world's worst performance.

Mr. HATCH. We do not disagree that these young men are in fact training.

Mr. BURKE. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. BURKE. I supported the Hatch bill, and I am disturbed now to have it said and not denied that one subject to the provisions of the Hatch law may not express an opinion on a political question. That has been repeated here a dozen times. My understanding of the Hatch law is that it prohibits those who come within its provisions from taking an active part in the management of political affairs. I see no real objection to saying to the National Guard men called into active duty, and to the trainees to be called under the provisions of the law, "During the time you are actually called into service you should not serve on political committees; you should not be unduly active in political organizations." But if the law goes so far as to provide that there shall be any restriction on the 800,000 trainees we hope to have in training very soon against expressing their own opinions on political matters, I would join heartily with the Senator from Vermont in saying that is a matter into which we would have to look very carefully.

Mr. HATCH. Mr. President, I am very glad indeed the Senator from Nebraska asked his question. I had not heard the expression, to which he has referred, used on the floor of the Senate. I had not noticed that it had been said these men were prohibited from expressing their opinions. Certainly such is not the law, and never has it been so construed. The rule of the civil service, from which the language of the act was taken, provides that such employees might express their opinions privately. That led to a good deal of discussion and brought disturbing thoughts to me. I did not like the word "privately." I recall with what eloquence the junior Senator from Indiana [Mr. MINTON], who sits before me, talked about a man getting his family around him, where, in the privacy of his home, he might express his opinions. The Senator recalls the debate. As a matter of fact, we struck the word "privately" out of the bill, so that there could be no question about it. The act expressly provides that nothing contained in it shall prevent expressions of opinion on any subject, not only political subjects, but all others.

Mr. GIBSON. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. GIBSON. Of course, the act does not say one cannot express an opinion, but that will be the effect as it is being interpreted by the Civil Service Commission. It will even go further than that; the situation will be such that one whom I can think of, a man engaged in the practice of the law, who has frequently been active in our State politics, cannot write back home to his friends and say, "We wish things would go this way or that way." He can take no such action. It is a club over the head of the guardsman and of the draftee.

I hope that in this particular year the Democratic administration will make it clear that there is no such club and no Hatch Act over National Guard men or draftees, no club over them save as the Army by regulation places there.

Mr. HATCH. Mr. President, will the Senator from New York yield to me?

Mr. MEAD. I yield.

Mr. HATCH. As to the National Guard man, the Senator understands that when the National Guard man enters the National Guard, in the first place, he does it voluntarily. He takes an oath that he is willing to be mustered into the Federal service, and when he goes into the Federal service he becomes subject to all the regulations, just the same as the Regular Army man is subject to them. That is why I say I am not so concerned about the National Guard men. They come under the regulations, and there will be no political activity on their part, and I do not think there is anything to worry about in their case. But I agree that the young men in training who are involuntarily taken into the service should not be under the prohibitions of the act. They should be just like any other citizen, and, in my opinion, they are, for I do not think they come within the description of "employee" of the executive branch of the Government.

Mr. GIBSON. I wish to say just one more word. I cannot see any real distinction between the draftees and the National Guard, because they all come from civil life. I think the practice which apparently is laid down by the Civil Service Commission is wrong, and I hope the Democrats, who are in the majority, will correct that situation.

Mr. MEAD. Mr. President, the enlightened discussion to which the Senate has just listened I am sure makes crystal clear the fact that the bill we are now considering does not in any way change the status of those in the military. I can see that the provisions of the Hatch law, particularly the provision which applies to all those engaged in activities paid for in whole or in part out of the Federal Treasury, might be construed as applying to the National Guard men who are in the service of the State, might even apply to the draftees, might even apply to the military as a whole; but the enactment of the provisions of the bill will neither enlarge upon those regulations nor will it limit them. That is a problem for the members of the Committee on Military Affairs and for those who are concerned with and interested in the proper enforcement of the provisions of the Hatch law.

It may be said, in passing, that the Civil Service Commission has not as yet ruled as to what action it will take with reference to the trainees who will shortly be called into service. It may also be pointed out that the authority which the Civil Service Commission now exercises as a result of the enactment of the Hatch law is authority which the Civil Service Commission did not seek; it is an authority which was contained in a bill passed by the Congress of the United States.

Finally, Mr. President, the bill I am discussing is in no way responsible for the interpretations and the rulings issued by the Civil Service Commission with reference to the military. The bill merely authorizes the President of the United States, under the restrictions of the measure, to bring within the merit system those who are now employed by the Federal Government in civil occupations, and who are not now covered by the merit system.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from New York yield to the Senator from Louisiana?

Mr. MEAD. I am glad to yield.

Mr. ELLENDER. I should like to have an answer to the question propounded to the Senator about 15 minutes ago with reference to examinations, as to why it is not feasible, and in fact, preferable, to have competitive examinations for these positions, rather than noncompetitive examinations as is provided in the bill under discussion.

Mr. MEAD. Mr. President, the decision as to that must be made by each individual Senator. In arriving at that decision, each Senator must give some consideration to or must ignore the meritorious services of those who have been in the employ of the Federal Government.

Mr. ELLENDER. How about the thousands who are now awaiting jobs, who have taken the civil-service examinations in the hope of obtaining jobs and who have not been recognized?

Let me point out to the Senator some figures from the fifty-sixth annual report of the United States Civil Service Commission, for the fiscal year ending June 30, 1939. On page 115, it is shown that during the entire fiscal year 556,571 persons took civil-service examinations for classified positions and of that number 254,095 passed the examinations and qualified for appointment.

On page 147 of that report appears the number of persons who were employed after having passed these examinations, and that number is 66,290. Today there are persons on the registers throughout the Nation, who became eligible last year only, amounting to almost 200,000; and my information is that, including previous years, there are almost 800,000 eligibles who have successfully passed a civil-service examination and are now on the registers awaiting Federal appointments.

As I understand, the intent and purpose of the civil-service law was to establish a merit system whereby selection for

appointment should be made upon the basis of demonstrated relative fitness without regard to political, religious, or similar considerations. I say it is wrong for the Congress to pass a law now whereby over 200,000 persons can be placed under civil service without taking competitive examinations. I charge that such a procedure is unfair to thousands who are in and out of the service and strikes at the fundamental purpose and reason underlying the adoption of the present Civil Service Act.

In a pamphlet which was issued by the Civil Service Commission for the general information of the public, being Form 2346, June 1938, on page 11, appears the following—and I should like the Senator from New York to listen to it:

> One purpose of the civil-service law is to give all citizens an equal right to demonstrate their qualifications for Government employment. Another purpose is to insure that the persons appointed are the best qualified among those seeking Government employment. The better the quality of employees the smaller is the number required. The Civil Service Commission aims through the competitive-examination process to save money to taxpayers by securing the most competent employees for the Federal service.

All these fine phrases are, to my mind, nothing but the payment of lip service to the merit system. Preparation is now being made, by way of the measure under consideration, to blanket over 200,000 persons into the service, when as a matter of fact, there are today almost 800,000 persons who have taken and passed the civil-service competitive examinations and are on the registers, but are without jobs.

Permit me to state, Mr. President, that I am not opposed to the placing of all of the departments involved in the bill under civil service, if competitive examinations are resorted to so as to fill those jobs.

Mr. MEAD. Mr. President, this question has been before the Congress—it has been before the House and the Senate committees—ever since the introduction of the bill in question, and in fact ever since the introduction of the first civil-service reform measure. Everyone knows that if we are to require wide open, noncompetitive examination for all the categories in all the agencies involved in this bill, endless examinations will have to be held, millions of dollars will have to be appropriated, and many of the employees who at one time or another were employed in agencies covered within the merit system and taken out of the merit system, through no fault of their own, by Congressional act, would of necessity have been discriminated against.

In all the experience of the Civil Service Committees of both Houses, and of the Civil Service Commission itself, and the various government organizations affected, as well as organizations not affected by the civil service, that is, those who are outside of it, the plan involved in the bill before the Senate is by far the best procedure yet adopted, and has been accepted with acclaim by Federal employees' organizations, by leaders, and by the rank and file of labor organizations, and by those interested in civil-service reform.

Mr. ELLENDER. Mr. President, will the Senator again yield?

Mr. MEAD. I yield.

Mr. ELLENDER. Of course, Federal employees' associations are in favor of the bill, certainly, because their memberships are composed of those who now have Federal employment. They are already in the Federal service. Many of those who will be affected by this bill are part and parcel of such organizations.

Mr. President, as I have heretofore stated, I am not against that portion of the bill which provides that the various departments shall be placed under civil service. I think they should come under civil service. They ought to be under civil service. What I contend is that when they are placed under civil service there should be open competitive examinations to fill those positions. It is not fair to cause disappointment to thousands upon thousands of persons who have already taken examinations, and others who have civil-service status but have lost their jobs, and who, under the very rules of the Civil Service Commission, have a preferential right to those jobs.

The law provides how those who have been dispossessed of jobs can get into the service again. If we pass the bill in its present form we shall evade the rules and regulations which form the basis of the Federal civil-service system. In other words, those who should have an opportunity, under competitive examination, to compete for these jobs, simply will be left out in the cold. Those who are now in will get them on a permanent basis, and the Senator from New York well knows that there are many who now are holding Federal jobs because of political influence.

Mr. President, it is positively wrong for us to blanket in all of these job holders without competitive examinations, as provided by the civil-service laws and rules and regulations. It is a direct deviation from the fundamental principles of the merit system.

I have held hearings on this proposition for about 6 months, and I know that the passage of the bill will not be conducive to a good merit system. If we are to have a merit system we should place every applicant on the same basis, and let the one who is best qualified, the one who receives the best grade, by reason of his education and experience, get the job.

Competitive examinations could be held very easily to fill these positions, and under the civil-service rules, as they now exist, it would be possible to give some preference to the present incumbents, by reason of their experience; but I repeat, it would be unwise to ignore completely the thousands upon thousands of applicants who have taken civil-service examinations and who are eligible for Federal appointment and it would be a violation of the fundamentals of the merit system.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. MEAD. I yield.

Mr. HATCH. I have been greatly interested in the remarks made by the Senator from Louisiana. I do not think there is very much difference in the views of many of us on this subject. Representative RAMSPECK, who introduced the bill in question in the House, included in the original bill the competitive feature, but I think the Senator from Louisiana knows—at least I know, and the Senator from New York knows, and other Senators know—that that bill, containing the competitive feature, would simply not pass the Congress. If the suggestions made by the Senator from Louisiana are followed, no matter how sound they are, no matter how good they are, the bill is dead.

Mr. ELLENDER. Does the Senator know why it would not be passed by the Congress?

Mr. HATCH. Yes; I know why it would not.

Mr. ELLENDER. It would not be passed by the Congress because it would affect the appointees of Representatives and Senators. That is the reason it would not be passed.

Mr. HATCH. The Senator is exactly correct.

Mr. ELLENDER. Mr. President, such procedure strikes at the fundamentals of the merit system, and if we are honest with ourselves and really believe in the merit system we should not tolerate it. Why give only lip service to the merit system? If we are to have civil service, let us have it on a real merit basis rather than let a lot of political appointees in under the umbrella, so to speak, and then blanket them under civil service.

We should pass a bill placing every department under civil service. We should have done so many years ago. So far as I am concerned, every time a new department is created I shall insist that its employees come under the civil service from its inception. But it is entirely unjust to blanket in over 200,000 employees who do not have to take a competitive civil-service examination, in the face of the fact that last year there was an enormous surplus of men and women who complied with the rules and took the examinations, and who now are eligible for these jobs. I maintain that it is not fair to blanket these temporary workers into the civil service when we already have a surplus of as many as 800,000 qualified civil-service applicants. Not only is it unfair to those who have taken the examinations, and are on the registers awaiting appointment,

but also to the thousands who are now employed by the various departments, and who worked hard over a period of years and have climbed up the ladder by way of civil service.

Mr. MEAD. Mr. President, I wish to compliment my distinguished colleague from the State of Louisiana for the warmth and the enthusiasm with which he embraces the merit system. He is an advocate of the merit system who, in my judgment, is far in advance of the spirit that has characterized the present Congress, the Congresses of the past, and the most ardent advocates of the civil service. Those who are realists, the advocates of civil service who approach the program from a practical viewpoint, have been satisfied to make what might be termed gradual progress throughout the years. Those who really want a bill passed which will eliminate the patronage system, with which my distinguished colleague from Louisiana [Mr. ELLENDER] finds so much fault, have found the solution in a compromise. They have found a possibility in the bill now before us.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. I shall be glad to yield in a moment.

If we intensify the philosophy suggested by my distinguished colleague from Louisiana, or if we break down the bill by eliminating the restrictions and limitations within the bill, we shall probably fail to obtain enactment of a bill before the adjournment of Congress. So those of us who want a bill, those of us who are anxious to extend the merit system, those of us who would bring in other agencies so that those who are on eligible rosters may have more and more opportunities to find employment in the service, are anxious about the present bill, which is not perfection itself. It is not a loosely drawn bill, but is a bill which squares with the standards of every public and private organization concerned with the advance of the civil service.

I now yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I wish to be frank with the Senator about my own feeling with regard to the bill. I think I am as completely a devotee of the merit system as is any other Member of Congress. I should like to expand it far beyond its present scope; but I cannot escape the conclusion submitted by the Senator from Louisiana. When the proper time arrives I shall move to strike out the noncompetitive examination and substitute the competitive examination.

The Senator says the bill is a step in the direction of removing the curse of patronage. It seems to me that a noncompetitive examination covering in 200,000 employees, far from removing the curse—if that is what it be—of patronage, merely confirms the curse of patronage, and provides a life tenure for the beneficiaries of patronage. I cannot see anything remotely related to the merit system in giving 200,000 employees jobs for life without any competition whatsoever. The present incumbents ought to have a 95-percent advantage in a competitive examination, because they are thoroughly familiar with their tasks. If, with that advantage over anybody else who might compete with them, they cannot win a competitive examination, Heaven knows they certainly are totally unqualified for their positions.

I cannot see how there is any fundamental loyalty to the merit system in noncompetitive examinations. Is not competition the heart and soul of the merit system? I ask the Senator from New York, is not the merit system built on the theory of competitive worth?

Mr. MEAD. In answer to my distinguished colleague, I will say that we can proceed only as the result of experience in the growth of the merit system. We should hearken to the leadership of those who were interested in the merit system long before we exerted our personal interest in the matter. If we review the hearings we find that the bill is a remarkable step in the direction of a selective system, as compared with anything else ever enacted by the Congress. The Committee on Civil Service realizes that every important organization interested in the civil service, including the American Federation of Labor, the Congress of Industrial Organizations, the business and professional women's clubs, the National League of Women Voters, the United States Junior Chamber of Commerce, and the Federal employees' organizations are supporting the bill, which follows the precedents established by every preceding Congress and followed by Presidents without exception, from Chester A. Arthur down to the present incumbent in the White House.

In view of all that, with a desire to extend the civil service, and an eagerness to make progress over the rules and regulations which were included in previous laws, requiring, as we do, bona fide examinations, we feel that we have made as much practical progress as could be made by practical legislators in an effort to widen the merit system, and to insure to those who pass civil-service examinations an opportunity for filling positions in the future, an opportunity which has been denied to them in the past.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. MEAD. I yield.

Mr. VANDENBERG. If the Senator had his own way about it, would he have competitive or noncompetitive examinations?

Mr. MEAD. In certain instances I should apply the principles specified in the bill before us. For example, the Bureau of Internal Revenue was at one time within the civil service. It was removed from the civil service, not by the employees, but by the Congress. Within its ranks are persons of many, many years of training, and persons affiliated with both major parties. If the agency were of recent establishment, or if it were a new agency of government, I should apply the rigid rules outlined by the Senator from Michigan. But there are many, many agencies, and we have numerous problems before us. By and large, I follow the leadership laid down for us by the best thought on the subject, the thought which has been emphasized before our committee by every agency in the United States honestly and frankly interested in and concerned with the development of the civil service.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. MEAD. I yield.

Mr. VANDENBERG. What does the language in the committee report mean when it says that the provision for noncompetitive examination is as satisfactory and as fair as can be obtained with any hope of enactment? That certainly encourages a doubt that it is the fairest and the most satisfactory method. What does the language of the committee report mean when it says, in effect, "You had better take this, because it is the best you can do"? Where is the obstacle or objection to making it wholly satisfactory and wholly fair—which obviously the committee thinks would be competitive rather than noncompetitive examinations? Why is the bill the best there is any hope of obtaining?

Mr. MEAD. In answer to that question, I will say that if my distinguished colleague will further peruse the report of the committee he will find on page 9 that under the law, which evidently had the same serious consideration that we are meticulously giving this particular bill, the then President of the United States, without any examination whatsoever, under the authority which Congress at that time gave him, blanketed into the civil service the employees in the agencies covered by the proclamations without any selective system and without any examination. Our committee, in reviewing the record, recognized the fact that only such legislation was approved by the Congress as followed the precedent established by the Congress which created the first merit system; but we were eager and anxious to improve that system, which allows widespread blanketing in without examination of employees who are fit, as well as employees who are unfit, for the service. Therefore, for the first time in the history of civil-service reform we made a great forward step, and by limitations and restrictions, and by requiring an examination with which no Department except the Civil Service Commission, and no officer of the United States, including the President, could have anything to do, gave authority to the examining agency of the

Government to prescribe the examination governing each particular case. In so doing we feel that we shall reward only those who could pass an examination if required to do so; but we shall reward them because of their seniority of service, their meritorious service, and their fitness. The problem of economy is involved, as well as that of the practicability of getting the legislation enacted into law. Every argument speaks for the bill, until such time as every Senator, every Representative, and all the organizations concerned with civil-service reform shall feel as does my distinguished colleague from Michigan.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. Yes; I yield.

Mr. VANDENBERG. Would it be a correct interpretation of the committee's report to say that there would be no hope of enactment—that being the phrase of the report—if competitive examinations necessitated a full, free, and fair approach to these 200,000 positions?

Mr. MEAD. I doubt if taken literally, as probably my distinguished colleage from Michigan would interpret it, that that would be an accurate statement. I think it might be stated that, taking the whole category of the agencies, old and new, involved within its provisions the committee stands upon the bill. I believe if we were going to cover within the civil service an agency of government created by the present Congress, an agency without experience of years, the committee would require wide-open competitive examinations. But we believe it would be unfair and would be difficult of attainment to take, for instance, the collectors of internal revenue, many of whom were appointed in the administrations of Presidents Harding, Coolidge, and Hoover and who are still there, giving an excellent account of themselves, and to eliminate them or to make it necessary for them to attempt an examination in which they would compete with those who have not rendered such meritorious service or applied themselves to the study of tax legislation and tax problems of the country as have the incumbents. The committee recognizes that there is some consideration due to seniority and to the meritorious services of those employees who have been working for the Government for so many years. So there are two questions involved: The question of the senior employee of the senior agency, and the question of the recent employee of the newer agency.

Mr. VANDENBERG. Yes; but take the case of the senior employee to which the Senator refers. He speaks about his long years of service; he speaks about his great familiarity with the law and technique of the position which he occupies, and claims that he ought to have consideration. Of course he should, but if competitive examinations are held who in the world can hope to compete with that intelligent incumbent? He has a 95 percent chance to win before he ever starts, and, if he cannot win under competition with all that background, then, there is something wrong with him; and he ought not to have the position.

I do not think the Senator has argued successfully against competition at all, and I remind him that the last time a bill extending the civil service was before the Senate, I think a year or two ago, we had then the same argument over the question of competitive and noncompetitive examinations, and the Senate voted a requirement that the examinations should be competitive. It was obviously the feeling of every friend of civil service in this body that the reality of the merit system required competitive examination, and so the Senate voted that way.

Of course, when the bill reached the House of Representatives something happened to it. Under the rules of the Senate, I am not permitted to comment upon what I think happened there. Is that the danger once more to which the Senator's report refers when he says that the only way there can be hope for the enactment of this bill is to confirm the patronage appointees who have been named during the last 10 or 15 years? It seems to me that I can draw no other conclusion. The incumbents are probably good for 20 more years. I think this bill ought to be labeled a bill to extend the civil service to 1960.

Mr. MEAD. Mr. President, in answer to the first statement made by my learned colleague from Michigan, let me refer to the statement of a renowned barrister whose attainments in the law and whose success before the courts made him the stand-out lawyer of his community. He was not only well learned in the law, honored by law schools and universities all over America, but his services and his experiences were oftentimes requested by his community, by his State, and by the Nation. I heard that barrister say on one occasion, "Although I have practiced law for a quarter of a century, if I were called to try an examination, an open examination in which all the graduates of the law schools of that year were participants, despite my knowledge of the law and legal technique, my aloofness from lawbooks has been such that I would not be able to pass the examination." He said, "I know a great deal about the law, but I could not compete with the graduates who would try that examination, even though they had never tried a case in court." The same statement might apply to veteran employees of the Internal Revenue office whose services over a period of 10 or 20 years have been highly satisfactory, and yet in competition with legal graduates of some university, graduates of a course in the tax laws of America, the veteran employees whose school days are certainly far behind them would be unable to pass an examination.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question at that point?

Mr. MEAD. I am glad to yield.

Mr. VANDENBERG. How many of the 200,000 life jobbers who are created by this bill are veteran employees under the Internal Revenue Service?

Mr. MEAD. I imagine that all the employees of the Internal Revenue Service, with the exception of a very small percentage, are veteran employees.

Mr. VANDENBERG. What would the number be?

Mr. MEAD. The number of veteran employees of the Internal Revenue Service?

Mr. VANDENBERG. Yes. Would it not be an infinitesimal fraction of the 200,000? As a matter of fact, do not the 200,000 generally include merely the 'mine run' of civilian clerkship services?

Mr. MEAD. I think, perhaps, that is correct, except that the Internal Revenue Service is not an infinitesimal part of the Service, and it certainly is not an infinitesimal part of the Service that will eventually be brought within the merit system by future Presidents of the United States. I do not believe that any President, no matter how warmly he may embrace the civil service, is going away out of his way to bring within the merit system employees of temporary agencies that may never become permanent agencies of the Government. I really believe that the Internal Revenue Service is one Service that will have the immediate consideration of the President of the United States.

Let me say to my distinguished friend from Michigan, who complains of the unanimous action recommended by the Civil Service Committee, which is the action recommended by every organization concerned with the civil service, that we were both in the Congress, with all the power and opportunity for complaint or for praise which we now command; yet during the administrations of Presidents of the United States who are not now in office, when they blanketed employees within the civil service without even a competitive examination prescribed by the Civil Service Commission, we may or we may not have raised our voices. But here is the record: During the administration of President Warren G. Harding there were brought within the civil service without examination a total of 2,000 Federal employees. I do not know who appointed those employees, and I do not know how much complaint was raised by the Members of Congress.

There were brought within the civil service, without examination, during the administration of President Calvin A. Coolidge over 7,000 employees. I do not know whether they

were patronage employees. I do not know who found fault with the action taken by the then President.

There were brought within the civil service, without examination, under the administration of President Hoover, some 3,400 non-civil-service employees.

I make the point that if we pass this bill no future President of the United States will do what Presidents Harding, Coolidge, and Hoover did. He will be able to do it only under the limited restrictions of the pending bill and under an examination that will make every employee stand on his feet and prove that he has the ability to perform the duties of the task within the agency covered into the civil service.

It is an orderly procedure, a procedure in comparison with which no preceding Congress, under either political party, has ever provided a superior. When we are making progress of that character and when the record indicates that during our tenure of office employees have been blanketed into the civil service without regard to the Civil Service Commission and without regard to any examinations for fitness, I think that our committee, the sponsors of this bill, and the organizations recommending this bill are entitled to some compliment rather than to complaint.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield to the Senator from Michigan.

Mr. VANDENBERG. I shall be very happy to furnish the Senator and his committee and all his colleagues and associates with a basketful of compliments.

Mr. MEAD. That will come in the most tangible and material way with the Senator's vote for the bill.

Mr. VANDENBERG. And the Senator from Michigan will vote for the bill if the fundamental of civil service is included; namely, the element of democratic competition.

I think the committee has made progress. I think this system is infinitely preferable to the system to which the Senator refers as having previously obtained; but I am asking why, in undertaking this admirable progress to which I know the Senator is sincerely dedicated, we have to bind ourselves to noncompetitive examinations, when the Senator knows, and his committee report confesses, that they would be put on a competitive basis if we dared do it. I just do not understand why at least the Senate should not duplicate the record it made the last time this subject was up and require the preservation of this fundamental thing in a democracy—and certainly it is fundamental when we are talking about a permanent civil-service status in a democracy—this fundamental thing of full, free, fair approach of all citizens to every available position in the land. I do not see why we should voluntarily desert it. All I am asking the Senator to do is to let us make some progress, at least so far as the Senate is concerned, and not surrender this fundamental thing in both civil service and democracy, at least until we have to.

That is the sole extent of my plea to the Senator.

Mr. MEAD. I appreciate the compliments the Senator has paid to the committee and those who are interested in making progress in civil-service reform; but there are two points which I believe are fundamental: One is bringing these agencies within the merit system so that they will remain there while those agencies remain a part and parcel of the Government. Another is to set up a satisfactory and suitable system of examining the applicants so that we may know they will be admirably fitted to fill the jobs within those agencies. The committee meets those two points, and in meeting those two points the committee has contributed to the remarkable progress indicated by this bill over the blanketing-in processes which have characterized our Government in the past.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. ELLENDER. Aside from the point which was urged a while ago with reference to noncompetitive examinations, there is another point about which I should like to question my good friend from New York. Just as the noncompetitive feature is urged by the author of the pending bill—in other words, we are asked to violate the existing law with respect to competitive examinations—I am wondering how the Senator feels about the apportionment problem and how it will be affected if we should pass the bill as reported.

As the Senator well knows, the Civil Service Commission has had to deal with apportionment ever since the act has been on the statute books. The employees from various States who are to serve in the city of Washington are to be apportioned in proportion to the number of inhabitants in the respective States.

I admit that considerable improvement in apportionment has been made since 1933. To afford Senators a comparison of the figures as they existed in 1933 and as they exist in 1940, let me read from a table appearing on page 5 of the Senate committee report.

Take the case of the State of Alabama: In 1933 Alabama received but 43.5 percent of its quota of civil-service departmental jobs. Today it has 61.7 percent.

In 1933 the State of Virginia, which is nearby, had 344.9 percent of its quota. Today that percentage has been reduced to 207.8 percent. In other words, Virginia has double the number of appointments it is entitled to in comparison with States and Territories which have as low as 11 percent of their quotas.

The question I desire to ask the Senator from New York is, how will the problem of equalizing apportionments be affected if we are to blanket in 200,000 persons when it is logical to assume that the vast majority of them come from his State, New York, or from Virginia, or nearby Maryland, or the District of Columbia, which have today far in excess of their quotas? In other words, are we not again being asked to nullify that provision of the law when we are urged to vote for the bill as it is now written?

Mr. MEAD. Mr. President, in answer to that question, I will say that, as the Senator suggests, we now have on the statute books an apportionment law, and unfortunately it does not apply with equal force to agencies outside of the civil service. In other words, if we bring all the agencies within the civil service, and give to the Civil Service Commission greater authority than they now exercise over agencies which are without the jurisdiction of the civil service, we may expect a constant and a more progressive improvement in the administration of the apportionment law.

Mr. ELLENDER. The Senator from Louisiana is not questioning that feature of the bill. I am for placing them under the civil service. They ought to be there; but let us put them there in the manner prescribed by the law, so that the Commission will be able to exercise its duty with respect to apportionment as provided by existing law. I say to the Senator that if we permit the Civil Service Commission to blanket in these 200,000 persons without competitive examinations, it may be that instead of the figures I have just read, wherein, as I have pointed out, Virginia had 344 percent of her quota, the percentage of employees from Virginia might go up to 400 percent. I repeat that unless we have competitive examinations, and unless the Commission is given the opportunity to work out this apportionment as provided in the law, we probably shall revert to the condition which prevailed prior to 1933.

Mr. MEAD. I am in complete sympathy with the Senator's ultimate objective, but it was pointed out to our committee in the hearings that during the World War period, or perhaps immediately following the war, when it was very difficult to induce individuals to join up with the Federal agencies, there was a relaxation of the quota law, and there was a large employment of persons in nearby States. I was told by the Civil Service Commission and their representatives who appear before our committee, however, that there has been a constant and continuing improvement; that they have the law, that they will equalize the apportionment as rapidly as they possibly can, and that they themselves are opposed to the amendment of the so-called quota law so far as the progress of this bill is concerned.

So if we have any complaint of the quota law I really believe an amendment to it might be in order. I know it would be in order so far as the consideration of this bill is concerned; but our committee considered the subject. We took it up with the Civil Service Commission. We were satisfied

with the progress they are making, and we felt as a committee that that matter had no place in the bill; and therefore I have before me nothing but the committee bill.

Mr. ELLENDER. I do not see how we could cure the defect I complain of by an amendment, because under the bill we are directing the Civil Service Commission to hold noncompetitive examinations irrespective of the incumbent's State of residence; and if the incumbents pass that examination, into the service they go, notwithstanding the fact that the appointments may be in direct opposition to the apportionment phase of the law.

Mr. President, in connection with my remarks I ask unanimous consent that the tables appearing on pages 4 and 5 of the Senate committee's report on this bill be incorporated in the RECORD.

The PRESIDING OFFICER (Mr. LODGE in the chair). Without objection, it is so ordered.

The tables are as follows:

Statement of the apportionment as of Feb. 29, 1940

IN ARREARS

State	Number positions to which entitled	Number of positions occupied
1. Virgin Islands	9	0
2. Puerto Rico	650	46
3. Hawaii	155	17
4. Alaska	25	8
5. California	2,392	857
6. Texas	2,454	997
7. Michigan	2,040	991
8. Louisiana	885	422
9. Arizona	183	101
10. South Carolina	732	409
11. New Jersey	1,702	999
12. Ohio	2,800	1,700
13. Mississippi	847	518
14. Alabama	1,115	691
15. Arkansas	781	493
16. Oklahoma	1,009	648
17. Georgia	1,225	796
18. Kentucky	1,101	731
19. North Carolina	1,336	915
20. New Mexico	178	127
21. Tennessee	1,102	844
22. Illinois	3,215	2,539
23. Wisconsin	1,238	1,022
24. Nevada	38	33
25. Indiana	1,364	1,192
26. Connecticut	677	593
27. Delaware	110	90
28. Wyoming	95	88
29. Florida	618	575
30. Oregon	402	375
31. Idaho	187	175
32. Washington	659	631
33. Vermont	151	145
34. Montana	226	220
35. Massachusetts	1,790	1,750
36. Missouri	1,529	1,500
37. West Virginia	728	715

IN EXCESS

State	Number positions to which entitled	Number of positions occupied	Net gain or loss since July 1, 1939
38. Maine	336	337	+7
39. New Hampshire	196	197	+12
40. Pennsylvania	4,057	4,089	+79
41. Colorado	436	441	+1
42. New York	5,303	5,487	+360
43. Utah	214	223	+10
44. Rhode Island	290	304	−15
45. North Dakota	287	301	−22
46. Kansas	792	834	−20
47. Minnesota	1,080	1,177	−48
48. South Dakota	292	323	−2
49. Iowa	1,041	1,161	−23
50. Nebraska	580	716	+6
51. Virginia	1,020	2,052	−32
52. Maryland	687	2,093	+15
53. District of Columbia	205	8,873	−21

Gains

By appointment	578
By transfer	52
By reinstatement	4
By correction	3
Total	637

Losses

By separation	180
By transfer	198
By correction	1
Total	379
Total appointments	52,561

NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under sec. 3, rule VII, and the Attorney General's opinion of Aug. 25, 1934 16,492

Condition of the apportionment, Feb. 28, 1933, and Jan. 31, 1940 [1]

State or Territory	Percent positions occupied in relation to number to which entitled		Number of positions occupied		Number of positions to which entitled	
	1933	1940	1933	1940	1933	1940
Alabama	43.5	61.7	313	660	719	1,069
Arizona	28.0	52.8	33	93	118	176
Arkansas	35.7	62.9	180	471	504	749
California	22.2	35.2	342	807	1,544	2,294
Colorado	76.2	99.1	215	415	282	419
Connecticut	58.1	84.9	254	551	437	649
Delaware	96.9	89.6	63	86	65	96
District of Columbia	8,165.2	4,485.8	10,778	8,837	132	197
Florida	69.2	93.4	276	554	399	593
Georgia	48.6	65.9	384	774	791	1,175
Idaho	78.5	93.3	95	168	121	180
Illinois	54.0	77.4	1,121	2,387	2,075	3,084
Indiana	80.6	87.8	710	1,149	881	1,309
Iowa	110.9	112.0	745	1,119	672	999
Kansas	80.0	104.5	409	794	511	760
Kentucky	67.7	66.6	481	704	711	1,057
Louisiana	36.3	47.1	207	400	571	849
Maine	98.2	99.7	213	321	217	322
Maryland	475.7	313.4	2,112	2,065	444	659
Massachusetts	95.5	99.6	1,103	1,710	1,155	1,717
Michigan	33.6	47.8	442	927	1,317	1,957
Minnesota	77.9	110.6	543	1,146	697	1,036
Mississippi	49.8	60.3	272	490	546	812
Missouri	79.0	97.7	780	1,433	987	1,467
Montana	61.6	100.9	90	219	146	217
Nebraska	81.3	123.3	305	687	375	557
Nevada	60.0	89.2	15	33	25	37
New Hampshire	99.2	94.7	125	178	126	188
New Jersey	37.1	56.0	408	915	1,099	1,633
New Mexico	50.4	66.1	58	113	115	171
New York	54.6	99.0	1,868	5,034	3,423	5,087
North Carolina	56.3	70.1	485	898	862	1,281
North Dakota	70.3	107.3	130	295	185	275
Ohio	51.2	60.7	925	1,631	1,807	2,686
Oklahoma	30.1	61.9	196	599	651	968
Oregon	48.3	91.4	125	352	259	385
Pennsylvania	75.5	97.9	1,976	3,812	2,619	3,892
Rhode Island	92.5	106.8	173	297	187	278
South Carolina	48.2	57.3	228	403	473	703
South Dakota	85.1	110.4	160	309	188	280
Tennessee	61.6	77.1	438	815	711	1,057
Texas	27.3	40.3	433	949	1,584	2,354
Utah	89.1	108.3	123	222	138	205
Vermont	127.6	101.4	125	147	98	145
Virginia	344.9	207.8	2,273	2,034	659	979
Washington	56.5	96.7	240	611	425	632
West Virginia	99.4	100.0	467	699	470	699
Wisconsin	50.7	80.2	405	953	799	1,188
Wyoming	67.2	95.6	41	87	61	91
Alaska	31.3	37.5	5	9	16	24
Hawaii	11.0	10.7	11	16	100	149
Puerto Rico	4.8	7.2	20	45	420	624
Virgin Islands						9
Total			33,919	50,423	33,917	50,419

[1] Although the apportioned classified civil service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal civilian positions in the District of Columbia. Positions in local post offices, customs districts, and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence, and once appointed he cannot be removed from his position because his State is in excess. Certifications of eligibles are first made from States which are in arrears.

Source: Statistical Division, U. S. Civil Service Commission, Feb. 15, 1940.

Mr. HATCH. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. HATCH. I ask the Senator to yield for two reasons. First, it had been my intention to speak in behalf of the bill today, but I realize that perhaps it would be a little difficult to get a vote on the bill or on the Senator's motion on account of another bill which it is desired to have considered. So I shall not take the time of the Senate to speak on the bill. I wish to say to the Senator, however, that I do not know what his idea is, but I know what my idea is about this particular bill, and especially with reference to the objections

raised by the Senator from Michigan and the Senator from Louisiana. My thoughts are best expressed in language which I have frequently heard the Senator from Missouri [Mr. CLARK] use, that Senator being present and doing me the honor of listening. I would rather have half of something than all of nothing. [Laughter.]

Mr. MEAD. Mr. President, while my distinguished colleague from Tennessee [Mr. MCKELLAR], who briefly discussed certain provisions of the bill on Friday, is present, I wish to read from a letter directed by the Civil Service Commission to the distinguished chairman of our Committee on Civil Service, the Senator from South Dakota [Mr. BULOW], who also is present in the Chamber and whose efforts in conducting the affairs of our committee are worthy of compliment and high praise from me. The letter reads:

> The only positions in the executive branch of the civil service to which the provisions of H. R. 960 may not be extended are those "positions in or connected with the Work Projects Administration." No other group of positions is excluded from the purview of title I—

Mr. MCKELLAR. Did he say the P. W. A.?

Mr. MEAD. The W. P. A. The letter continues:

> No other group of positions is excluded from the purview of title I, and positions which are filled by appointment by the President by and with the advice and consent of the Senate may, therefore, under the bill be included in the classified civil service. There is no provision in the bill, however, which can be construed to change the locus of the appointing power or to deprive the Senate of its right of confirmation with respect to any position or group of positions. If an Executive order should be issued pursuant to the bill, therefore, including within the classified service positions which the law provides shall be filled by the President by and with the advice and consent of the Senate, the Commission would presumably be required to issue a certificate of eligibles to the President, from which a proposed employee would be nominated and his name submitted to the Senate for confirmation in much the same manner as appointments of first-, second-, and third-class postmasters are now affected under the act of June 25, 1938.

In other words if a district attorney, or United States marshal, or a collector of internal revenue, or any officer requiring confirmation by the Senate, were included in an Executive order and covered into the merit system, a list of eligibles would be given to the appointing agency, and from that list of eligibles a name would have to be sent to the Senate for confirmation of the appointment by the Senate, just as is the case today, and just as is the case under the law bringing postmasters of the Presidential class within the civil service.

Mr. MCKELLAR. Mr. President, that is a distinct improvement upon what seemed to be the provision of the bill as we were discussing it a few days ago. But I wish to call the attention of the Senator to an argument he made a few moments ago, in reply to a contention made by the senior Senator from Michigan [Mr. VANDENBERG], concerning the elderly lawyer who felt that he could not stand an examination in competition with a youngster who was just out of college, where he had been highly trained and educated. I think the Senator was apt in the illustration he gave.

What strikes me with a great deal of force is that that applies to all district attorneys and all assistant attorneys general in Washington, of whom there are a great many The Senator's reasoning would apply to all those lawyers, and I am not so sure but that the bill could be improved very much by excluding those classes of lawyers, for the reason that otherwise we would have as assistant attorneys general and as attorneys all over the country boys just out of college. They might in the future make very excellent assistant attorneys general, but, as the Senator so well argued in his colloquy with the Senator from Michigan, it seems to me that some exception should be made so that a competitive examination would not be required in such cases. I hope the Senator will give that his attention and will offer an amendment along that line.

While I am on my feet I wish to ask the Senator a question. I was present when he was having a colloquy with the junior Senator from Connecticut [Mr. DANAHER] a few minutes ago, when the Senator was complaining that this was a patronage bill. In that connection I desire to ask the Senator whether the Tennessee Valley Authority would be included under the proposed law, or might it be included within the provisions of the law?

Mr. MEAD. Unless an amendment is offered exempting the Tennessee Valley Authority, which I understand has its own rigid selective system now, it will be covered by the proposed law.

Mr. MCKELLAR. The Tennessee Valley Authority is an extensive Federal organization, largely situated in my State. It probably has several thousand employees. I say to the Senator from New York and to the Senator from Connecticut that if there is a single, solitary person, man or woman, who is holding a position, important or humble, under the Tennessee Valley Authority on my recommendation, I do not know who it is. I understand the Authority has a very excellent civil-service system of its own. I suppose that under the terms of the bill it would probably be merged into the general civil service, but surely if it is a question of patronage that is bothering the Senator from Connecticut, I am in the same boat with him, although I happen to be on the other side of the house politically.

Mr. MEAD. In answer to the statement made by my distinguished colleague from Tennessee, I will say that the Employees' Craft organization, the American Federation of Labor, and a number of other organizations were high in their praise of the working conditions and the working relations and the selective system adopted by the Tennessee Valley Authority. I wish to say also to my distinguished friend that the committee on the investigation of the activities of the Tennessee Valley Authority, on which I was one of the House representatives, went into the personnel selective system very thoroughly, and I quite agree with the statement the Senator has made, that it has never been a patronage agency, and that the Congressmen from the State of Tennessee received no more consideration than was the case with the Congressmen from any other State. In fact, there was a total absence of consideration and preference given to those in political authority or political positions when it came to the employment of personnel.

Mr. MCKELLAR. I thank the Senator. I think he is entirely correct in his statement, and I wish to say that in making the statement I have made, I was speaking in answer to the suggestion of the Senator from Connecticut this afternoon. I am not complaining of the action of the Tennessee Valley Authority at all in its failure to appoint anyone in whom I might have been interested, or whom I might have recommended.

Mr. MEAD. By a strange coincidence, the first man I met after our committee went into the Tennessee Valley investigation, and of whom I inquired as to his residence, informed me that he lived in my district.

Mr. BARKLEY. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. BARKLEY. I am interested in what the Senator from Tennessee has stated, because the Tennessee Valley Authority and its policy has in some measure been a headache to all of us. We put into the law a provision that no political consideration should be given to applications for any position under the Tennessee Valley Authority. When the dam in Kentucky was projected, the one at Gilbertsville, which is the only one in the State of Kentucky, which I believe they have named "The Kentucky Dam," it was announced that there would be a restricted area from which employees would be taken, naming certain counties in the Tennessee Valley and contiguous thereto, and a certain day in August of 1938 was fixed when all applications had to be in. Otherwise the applicant would be barred from consideration. Some 45,000 persons filed applications for positions in connection with the dam at Gilbertsville. An examination was held to test the fitness of the applicants, and to classify them in proportion to their fitness for jobs of various sorts. As happened all over Tennessee I am sure, of 45,000 who filed applications for positions under the T. V. A. at

Gilbertsville, I think 44,900 of them wrote to me asking for indorsement. It was difficult to explain to the applicants that an endorsement from us not only would not be of any value, but would probably do them harm.

Mr. CLARK of Missouri. Mr. President, will the Senator from New York yield?

Mr. MEAD. I yield.

Mr. CLARK of Missouri. At the time of the establishment of the T. V. A. that was definitely its policy. A young man who came to me very highly recommended by his professors of the University of Missouri, received a letter from my office, and went down to apply for a job with the T. V. A., but was told by the director of personnel that a recommendation from a Senator or a Representative was a disqualification.

Mr. BARKLEY. Yes; and that policy has been constantly pursued. I explain to all applicants for positions at Gilbertsville Dam, that a letter from a Representative or a Senator is almost the equivalent of an assurance that they would not be employed. So I have quit writing letters recommending persons for jobs with the T. V. A., because I do not want to do the applicants any harm; I want them to get the jobs on their merits.

I think it is a very wholesome thing to put in the law a provision that recommendations of a political nature will be disregarded, and I think the T. V. A. has been so scrupulous in obeying that provision that its officials have leaned backward. In the course of the development of these different dams I have no doubt the officials have carried with them from one dam to another experienced men who have been with them from the beginning of the construction on the Norris Dam. As the result a large number of Tennesseans are employed in the construction of the Gilbertsville Dam. Every time I tell my friends that a letter from me will be of no value, but rather will do harm, I am confronted with the statement that all those from Tennessee who are engaged at Gilbertsville, Ky., were appointed upon the recommendation of the Senator from Tennessee [Mr. McKELLAR]. I have no proof that that is not true, except I know the policy of the T. V. A., and it is very reassuring and comforting for me to hear the Senator from Tennessee say, as I heard him tell Dr. Morgan one day in my presence, that no one whom he had ever recommended to the Tennessee Valley Authority had gotten a job.

Mr. McKELLAR. No one whom I have recommended has gotten a job as an officer, or as an employee, or even as a guide, or anything else. So far as I know, I make no recommendations at all to the T. V. A., and if any are made in my name they are always turned down.

Mr. BARKLEY. I realize that.

Mr. McKELLAR. So far as I know, of my own knowledge, as I said a while ago, not a single person that I ever recommended to the T. V. A. is in the employ of the T. V. A. today.

Mr. BARKLEY. I can state the same thing, so far as I am concerned, and I can give testimony that if there is one agency, in the United States Government which is scrupulously carrying out that policy it is the Tennessee Valley Authority. When our old colleague and friend Senator Pope, of Idaho, was made a T. V. A. Commissioner many of his friends, I have no doubt, thought they would be able to use their friendship with him to obtain jobs, but to his credit let it be said that he has carried out the same policy.

Mr. McKELLAR. If the Senator from New York will permit me, I wish to say that, as a matter of fact, the Senator from Nebraska [Mr. NORRIS], in drawing the T. V. A. measure, placed in it a provision excluding political appointments, and the officials of the T. V. A. have simply carried out that provision of the law.

Mr. BARKLEY. Yes.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. DANAHER. I should like to ask the Senator from New York, in connection with the point to which reference has been made, whether or not the T. V. A. will be included in the bill now under discussion?

Mr. MEAD. Under the terms of the bill before us it is included.

Mr. DANAHER. Is it not a fact that the T. V. A.—and let it be understood that what I say is not said with the slightest intention of reflecting on the T. V. A.—the T. V. A. purposely in the past asked not to be included within the civil-service provisions?

Mr. MEAD. That is true; and one of the reasons for the request is that the T. V. A. is in the construction stages.

Mr. DANAHER. Precisely.

Mr. MEAD. Eventually there will be a minor number of employees, comparatively speaking, who will be needed in the maintenance of the various facilities of the T. V. A. At that time the T. V. A. will have no objection, I believe, to being included within the civil service, but they have an excellent selective system now in vogue which, as I understand, in great part has come about as the result of conferences with and advice from the Civil Service Commission.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. MEAD. I yield.

Mr. DANAHER. I had talked previously with the Senator from Nebraska [Mr. NORRIS], who had come into the Chamber, and who told me of the experience of the T. V. A. and why the practice followed was necessary in the selection of technical men, and I approve of it. I have no criticism of it, Senators will understand. There is one point, though, which is certainly worthy of passing notice, and that is that no better evidence to the effect that there is nothing political about appointment to positions with the T. V. A. could be obtained than from the testimony of the Senator from Tennessee. There is no question about that. I have no fear when I hear his praise of this particular agency, which apparently is the only one which Senators can think of as to which there is no political history. Quite the contrary, it appears to have no political patronage aspect to it at all.

I should like to ask the Senator from New York another question. Does the Senator from New York and his committee feel that the United States attorneys should be exempt or should be included in this bill?

Mr. MEAD. That was discussed in committee meetings and hearings. It was a much mooted question. Some believed that all policy-making positions and all positions requiring confirmation by the Senate should be eliminated from the consideration of this bill.

Mr. CONNALLY. Mr. President, will the Senator permit me to ask the Senator from New York to yield on that point?

Mr. DANAHER. Of course.

Mr. MEAD. I yield.

Mr. CONNALLY. I have heard mentioned several times in debate, "policy-making positions." I know that "policy-making positions" are mentioned in the Hatch bill. What is a policy-making position? I think the bill should define those who are subject to the measure and those who are exempt. I would not know a policy-making official if I met one. What is a policy-making official?

Mr. MEAD. Let me say to my distinguished colleague, the Senator from Texas, that in discussing this problem before our committee we felt that we could leave to the President, the head of the executive service, the exemption of certain employees in the executive family who he believed should be exempted from the provisions of the bill. We felt also that existing law, which required confirmation by the Senate, should be carried out.

Mr. CONNALLY. That is all right. If the President appoints and the Senate confirms an appointee, why is that not enough? Why should we have to call on someone else to bless him as well? If the President, under the constitutional power, appoints someone, and then the Senate confirms him, is that not enough? I think all such appointees should be exempt under this measure. What is the sense of calling on some little civil-service clerk to tell the Senate and the President who can be appointed and confirmed, when under the Constitution, if the President appoints him and the Senate confirms him, he has title to the office? I think it is foolish for the Senate to try to tie its own hands or tie the hands of the President in such a case.

Mr. MEAD. Under the provisions of the bill we do not tie the hands of the President. We do not make any mention of the matter the Senator has just discussed. That is contained in the existing law. But we do not prevent the President from requiring the Civil Service Commission to hold an examination for those who may later require confirmation by the Senate. It is a voluntary procedure.

Mr. McKELLAR. Mr. President, will the Senator yield to me there?

Mr. MEAD. Yes; I am glad to yield.

Mr. McKELLAR. The Senator from Texas was not in the Chamber, I believe, a few moments ago when the Senator from New York and I discussed that very question. My contention with respect to the question of attorneys especially, it is based in part upon the argument of the Senator from New York that in a competitive examination for places under civil service, the young lawyers of the country would have a tremendous advantage over the older lawyers of the country, and probably, as a result, we would have a legal service composed almost entirely of young lawyers, for it would be necessary to appoint one of the three highest on the list. I am urging the Senator from New York further to perfect the bill—I think it will add very much to it—so that all the important lawyers, at any rate, in the service of the United States should be selected in a different way, and not by civil service.

Mr. HILL and Mr. CONNALLY addressed the Chair.

The PRESIDING OFFICER (Mr. LODGE in the chair). Does the Senator from New York yield, and if so, to whom?

Mr. MEAD. For the moment I should like to call my distinguished colleague's attention to a statement which was sent to me, as follows:

> There is no provision in the bill which can be construed to change the appointing power or to deprive the Senate of its right of confirmation with respect to any position or any group of positions.

In addition to that, the Reed commission, headed by Mr. Justice Reed, is now making a study of the attorneys in the Federal service. That commission will make its report to the President. We felt that, in view of the existing law with reference to confirmations, it would be all right for us not specifically to exempt attorneys, but to leave them subject to the provisions of the general law. If the President desires, he may carry out the recommendations of the Reed commission.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. HILL. The Senator speaks about existing law, and yet the very first language in the bill repeals existing law. The opening words of the bill are as follows:

> That notwithstanding any provisions of law to the contrary—

That repeals existing law so far as the bill is concerned. That is why the language is written into the bill; so there is no use talking about existing law if we are to pass the bill as it is written. The very first language in the bill repeals all existing law.

Mr. MEAD. There is no provision of law which authorizes the President specifically to exempt positions. There was the thought, in connection with the first civil-service law and every subsequent amendment to the civil-service law, that the President, the head of the executive department, should have the power, if and when he chose to exercise it, to bring certain employees within the civil service or to leave them out. That is what the bill does. It simply carries out the language of the prior civil-service law.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. DANAHER. The Senator refers to United States attorneys. They are separately commissioned by the President, who, having taken his oath to enforce the law, in terms by his commission delegates within the several districts the power to bring to book criminals and others who run afoul of the law in one respect or another, as well as the civil power which is vested by statute in United States attorneys. It may happen that in one or more of the 88 districts in this country certain United States attorneys may be out of sympathy either with a given law or with the administration, or with the policy-making Executive who happens to be in control at a given time. It seems to me that to say that a Chief Executive should be saddled with all those people down through the years under the terms of the bill would be to deny to the Chief Executive a large phase of necessary power in discharging his absolute duty to enforce the law.

I bring that matter to the Senator's attention as a consideration, and ask if there was not argument on that point in the committee, with reference to whether or not United States attorneys should be included within the bill?

Mr. MEAD. I will say to my distinguished colleague that under the existing law the President may remove attorneys. The President need not bring them under the provisions of the bill. That situation is left more or less as it is. The committee had in mind that the Reed commission might make some specific recommendation with reference to the employment of attorneys, so we did not take affirmative action. We did not take action which would compel the President to bring attorneys within the civil service. The President would be in a position to await the findings of the Reed commission.

Mr. DANAHER. Whatever the Reed commission may say or do with reference to 500 attorneys in the Veterans' Administration, or other hundreds in the Solicitors' offices in the different departments, or the Bureau of Investigation in the Department of Justice—all of which have been more or less under discussion at times—there is a very different situation, it seems to me, about which the Congress ought to have something to say, as to officers who are law-enforcement attorneys. Therefore I ask the Senator from New York if he does not feel that at the proper time an amendment to except United States attorneys should be accepted.

Mr. MEAD. In reply to that question I will say that we are not bringing them within the civil service. We are leaving the subject matter wide open. When the Reed commission makes its recommendations, and we have the benefit of study and investigation of the subject, I think at that time we shall be able to go into the subject with better knowledge of it, and with the benefit of the views of the very learned commission without developing any rigid requirement at this time. No matter what the recommendations of the Reed commission may be, it will not be able to change the existing law. Of necessity, it will have to come to the Congress if its recommendations require new legislation. It was the opinion of our committee that in the passage of a bill giving the President authority to cover certain agencies within the civil service we should omit provisions which would prevent the President from exercising an authority if he deemed it wise and prudent to do so. So it occurs to me that we might well leave the matter open.

To a great degree I am in accord with the Senator's views with reference to attorneys who might be out of sympathy with an administration. I can see that perhaps there might be an illustration of that policy if attorneys throughout the United States were given life tenure under civil service, and were entirely out of sympathy with such a law as the prohibition law. I believe they would conduct themselves in keeping with the essence and letter of the law. Nevertheless, I can see that perhaps greater efficiency might result when at least the attorneys in charge are enthusiastic in their advocacy of the policy of the administration in power. There is merit to the suggestion which the Senator offers.

Mr. DANAHER. To nail down that one point, we do not have to go outside the Senator's own State. In fact, we do not have to go outside New York County. Mr. Thomas E. Dewey became county attorney in New York County, and became the prosecutor, notwithstanding the fact that the very same culprits whom he prosecuted and convicted had been running rampant long before he became prosecutor. I cite that as a perfect illustration of why we ought to exempt United States attorneys from the operations of the bill.

I thank the Senator for his courtesy.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. McKELLAR. In that connection I hope the Senator will have an amendment prepared along that line.

Mr. MEAD. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3929) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 10361) to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes, and it was signed by the President pro tempore.

MISSISSIPPI RIVER BRIDGE NEAR MEMPHIS, TENN.—CONFERENCE REPORT

Mr. McKELLAR. Mr. President, I wonder if the Senator from New York will yield to me long enough to present a conference report on a bill having to do with a bridge across the Mississippi River.

Mr. MEAD. I yield for that purpose.

Mr. DANAHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Johnson, Colo.	Schwartz
Andrews	Ellender	King	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	McKellar	Shipstead
Bailey	Gerry	McNary	Smith
Barkley	Gibson	Maloney	Stewart
Bilbo	Gillette	Mead	Taft
Bridges	Glass	Miller	Thomas, Idaho
Bulow	Green	Minton	Thomas, Okla.
Burke	Guffey	Murray	Thomas, Utah
Byrd	Gurney	Neely	Townsend
Byrnes	Hale	Norris	Tydings
Capper	Harrison	Nye	Vandenberg
Caraway	Hatch	O'Mahoney	Van Nuys
Chavez	Hayden	Overton	Wagner
Clark, Idaho	Herring	Pepper	Wheeler
Clark, Mo.	Hill	Pittman	White
Connally	Holt	Radcliffe	Wiley
Danaher	Hughes	Reed	
Davis	Johnson, Calif.	Russell	

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. A quorum is present.

Mr. McKELLAR (for Mr. BAILEY) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3929) entitled "An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and the House agree thereto.

That both Houses agree to the bill in the form as originally passed by the Senate.

MORRIS SHEPPARD,
CHARLES L. McNARY,
Managers on the part of the Senate.

EDWARD A. KELLY,
PEHR G. HOLMES,
Managers on the part of the House.

Mr. McKELLAR. Mr. President, I ask unanimous consent for the present consideration of the conference report.

There being no objection, the report was considered and agreed to.

EXTENDING THE CLASSIFIED CIVIL SERVICE

Mr. MEAD. I call up the motion that is now on the desk in order that we may get to the amending stage of the pending bill.

The PRESIDING OFFICER. That is the question now pending before the Senate. The Chair will state that the question is on the motion of the Senator from New York to proceed to the consideration of House bill 960, extending the classified civil service of the United States.

POLITICS IN NATIONAL DEFENSE

Mr. HOLT. Mr. President, for a long while we have heard the statement that there should be no politics in national defense. I agree with that; I feel that we should have an adequate, strong national defense, but I do object to politics in the awarding of contracts.

The other day there was sent to me a newspaper containing a very significant item, which could be duplicated, I think, in many instances. It is a newspaper published in York, Pa., and the article is headed "Heads State Drive." It reads in this way:

Appointment of S. Forry Laucks, president of the York Safe & Lock Co., as head of a State-wide organization to form Roosevelt-Wallace clubs, was announced yesterday by Dr. Luther A. Harr, Pennsylvania Democratic campaign chairman, at Harrisburg. The appointment was made by National Chairman Edward J. Flynn.

"It is my purpose to establish Roosevelt-Wallace clubs in every county," Mr. Laucks said in a statement, "and through their membership to prosecute a vigorous campaign, not only for these able candidates on our national ticket but for the reelection of United States Senator Joseph F. Guffey and for G. Harold Wagner for State treasurer and for F. Clair Ross for auditor general.

"In addition, the clubs will give special attention, too, to the candidacies of every Democratic aspirant to a seat in the State senate and in the house of representatives."

There is nothing particularly significant about that; Mr. Laucks has a perfect right to be chairman, but in the same newspaper I find this item:

Local firms get war contracts totaling $3,046,120.

This is what is said under the heading—I will not burden the Senate by reading the complete list but in naming the contracts the newspaper says:

Largest was an artillery matériel Ordnance Department contract awarded to the York Safe & Lock Co. and worth $2,914,720.

The York Safe & Lock Co. has as its president Mr. S. Forry Laucks, who, on the very day he got a contract for $3,000,000 from the United States Army, was named as chairman of the Pennsylvania Roosevelt-Wallace Clubs. It may only be a coincidence; I do not know; but it is quite an unusual thing to pick up a newspaper and see a man named as State chairman who at the same time gets $3,000,000 worth of contracts from the United States Government.

So I thought I would look a little further into the York Safe & Lock Co. I find that Mr. Laucks has a perfectly good reason to be for the ticket. I am not discussing whether he should or should not be, but here is what I find:

During the week of January 13, 1940, the York Safe & Lock Co. got a contract from the War Department for $604,188 worth of gun mounts, to be delivered on the 15th day of September. Then on the 10th of February 1940 I find the Navy gave a contract to the York Safe & Lock Co.—the Army had given them the other one—the Navy gave them a contract for $59,846.27 worth of gun mounts.

Not satisfied with that we find that on February 24, 1940, the War Department again gave the same York Safe & Lock Co. a $57,050 contract for cradle assemblies.

By the way, we find that delivery was to be made on the 2nd day of November 1940. Of course, November 2, 1940, is a very good time to have the factories going.

Here is another thing. We find that in the week of August 24, 1940, the same York Safe & Lock Co. got a contract from the War Department for gun carriages amounting to $794,300. Add to those the recent contract given to the York Safe & Lock Co. amounting to $2,914,720, and it will be seen that it pays to be on the right side.

It will be remembered that in 1937 I discussed the Democratic campaign book of 1936. I picked up the Democratic campaign book of this year with the words "Price, 25 cents" marked out. I turn to page 114, and I find a half-page advertisement of the York Safe & Lock Co. They paid approximately, I imagine, $4,000 for that. Of course that was a

pretty good investment; there can be no doubt about that, because we find that in September they got a $3,000,000 contract from the Government.

AIRCRAFT COMPANIES DONATE

Talking about this campaign book, since I am on that subject, I also find in looking through it another very interesting advertisement. On page 22 here is "Grumman Skyrocket, The United States Navy Looks Ahead." I think it paid many thousands of dollars for that advertisement, and I find that the Grumman Aircraft Co. has orders for a good many months to come from the United States Navy and from the United States Government for aircraft production.

When such things happen in this country it certainly makes the American people wonder. When organizations that are producing national-defense items are required to donate money for party campaigns it is time the American people were finding out what is going on behind the scenes. If I may refer also to 1936, the last two campaign books show directors of certain corporations donating money to the Democratic Party through the campaign books. We know they could not do it under the laws of the United States but, through the subterfuge of these campaign books, they do it. What do we find? We find directors of the Boeing Airplane Co., the Bell Aircraft Corporation, the Bendix Aviation Corporation, the Eclipse Aviation Corporation buying the campaign book.

Senators have probably noticed, from the press, how many million dollars' worth of orders have been given to the Electric Boat Co. Directors of the Electric Boat Co. did not pay $2.50 for the 1936 campaign book, but paid many hundred dollars for that campaign book. We find the directors of General Motors, of United States Steel, who have received millions of dollars in orders from the United States Government, also being hijacked by a political party. Then can it be said there is no politics in defense? Who is stopping defense? Not some of us who are opposing this thing but others who have been trying to smear those of us who are opposed to these practices. We will find as we go through these campaign contributions that it pays to be on the right side.

Now let me give you a few more facts on these campaign books that may interest you. I know they interested me quite a good deal. What did I find?

The Bethlehem Steel Corporation has not been overlooked by the United States Army and Navy in their contracts. How much do you suppose they paid for that $2.50 book? You can buy them for a nickel now, but how much do you suppose they paid for this $2.50 book? Seven thousand and five hundred dollars for a book that sold for $2.50. It was a good investment.

What did the Boeing Aircraft Co. pay for this $2.50 campaign book? Two thousand and five hundred dollars—pretty good for a $2.50 book!

What did the Bath Iron Works, of Bath, Maine, pay for a $2.50 book? Two thousand and five hundred dollars.

The Chrysler Corporation got a good contract from the Government. How much do you suppose the Chrysler Corporation paid for these books? Five thousand and one hundred dollars for a $2.50 book.

The Winston Engine Co. paid $2,700 for that book.

So, as we go through the whole matter, we find that there has been a peculiar type of "patriotism." When I went to school I was taught how to spell "patriotism" as "p-a-t-r-i-o-t-i-s-m," but since I have been watching affairs here in Washington I have learned that you do not spell "patriotism" that way, but that you spell it "p-a-y-t-r-i-o-t-i-s-m" with the accent on the "p-a-y." [Laughter.] Patriotism! We find that some of these individuals are telling the world about their "patriotism," proclaiming that we must build up the national defense, at the same time that they are getting contracts. As I said over the air the other night, they are waving the American flag with one hand and stuffing a nice, juicy contract with the Government in their pockets with the other.

That is the band of "patriots" that are coming to Washington today. They have come in such numbers that, frankly, it is hard to get a room in a hotel in Washington. You can hardly get a room in a hotel here because these groups of contract vultures are here in Washington to get part of the money, and to shout their "patriotism" to the sky. As the elder La Follette said, looking over the same type of persons in 1917, "Shades of Lincoln! What a band of patriots!"

Yes; Washington has been infested with them. Let me make the charge here that they have the acquiescence and support of United States Army officials, of United States Navy officials, and the National Defense Council.

ARMY AND NAVY PROTEST PROFIT RESTRICTION

Do you realize that representatives of the United States Army and the United States Navy and the National Defense Council appeared in an executive session before the Naval Affairs Committee of the United States Senate and fought against the limitation of profits on Government contracts? Oh, no; they did not want to limit the contracts to 7 percent or 8 percent. They wanted to put the profits on these Government orders back up to 12 percent. I challenge anyone to deny that statement, and I will prove it by the testimony of the men so appearing. It is high time that the American people realized that all this yelling of "patriotism" has a few paltry dollars mixed in with it, too.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. The repeal of the Vinson-Trammell Act contemplated in the tax bill now in conference to all intents and purposes removes any limitation whatever on profits from these war contracts; does it not?

Mr. HOLT. That is correct. There is no doubt about it—what are the facts? Do I find these poor companies getting ever so poor? Let us look at a few of their contracts.

EARNINGS IN 1940

We find that the Bendix Aviation Corporation in the first 6 months of 1939 made $2,162,210, but in the first 6 months of 1940 they made $4,295,419, or double the amount made in the first 6 months of the previous year.

What else do we find? The Curtiss-Wright Corporation in the first 6 months of 1939 made $3,370,804, but in the first 6 months of 1940 the same aviation corporation made not $3,000,000 but $6,235,969.

The Douglas Aircraft Corporation between the months of December and May ending May 1939, made $1,396,792. In a similar 6 months of 1939–1940, ending in May, they made $3,388,857.

Fairchild Aviation increased its net profits from $141,121 for the first 6 months of 1939 to $318,946 in the same period in 1940.

Lockheed Aircraft Corporation earned approximately $500,000 in the first 6 months of 1939 as compared to an estimated $2,000,000—four times as much—in the first 6 months of this year.

The United Aircraft Corporation made $3,678,689 in the first 6 months of 1939, and $6,228,106 in the first 6 months of 1940.

All of these figures are for net income.

The Glenn L. Martin Co., of Baltimore, in the first 6 months of 1939 made $967,624 profit, but in the first 6 months of 1940 they made $4,291,490, or an increase of 425 percent in their profits in the same period of time, over 1 year.

Some of the officials are coming here and on their knees telling how we are mistreating the companies who want national defense contracts; and the United States Senate, as the Senator from Missouri [Mr. CLARK] said, the other day took off the lid on profits. We did have a 7-percent lid on profits; and 7 percent is a pretty good profit when we are taking American boys and putting them into camp at $21 a month for the first 4 months and $30 a month for the next 8 months. When an American boy makes $100 a month, and we take him and put him in camp for a year, we confiscate

from 70 to 79 percent of his wealth for that year, and then people talk about taking off the lid of 7 percent; and who advocated it? The United States Army officials, the United States Navy officials, and the National Defense Council. To be specific, who did it? Colonel Schultz, of the United States Army; Captain Krause, of the United States Navy; and Frederick Eaton, for the National Defense Council. Mr. Eaton said he was speaking for the National Defense Council, and was authorized to say that we should put the limitation back to 12 percent rather than reduce it to 7 percent as was done in a bill passed shortly before his appearance.

What do I find here in the case of a few steel companies? I have a statement of the profits of a few of them. I find that in the first 6 months of 1939 they made $21,100,397, but in the first 6 months of this year the same steel companies made $93,499,283, or an increase of 450 percent in their profits in the first 6 months of this year. If all of the companies were totaled it would be much more.

What about the United States Steel Corporation? Mr. Edward Stettinius was chairman of the board of the United States Steel Corporation. He is now Chairman of the National Defense Council, and opposes any limit on profits today. He personally opposes any limit on profits. What did Mr. Stettinius' United States Steel Corporation do? Let me tell you. In the first 6 months of 1939 the United States Steel Corporation made but $1,970,311 profit, but in the first 6 months of 1940 the same steel corporation made $36,315,003. That is not bad—an increase of profit from $1,900,000 to $36,315,000 in 6 months; and the prospect for the next 6 months points to an even greater profit than that. So we see that many individuals who are so much interested in national defense at the same time are interested in putting in their pockets all the profitable dividends that are possible.

WILLIAM ALLEN WHITE'S "WAR" COMMITTEE

We have had a committee circularizing the country known as the Committee to Defend America by Aiding the Allies, with the front of the stuffed shirt William Allen White; and what do we find in that committee? Oh, these individuals are so much interested in America. What do I find? I find a director of the New York Shipbuilding Corporation on the committee. The New York Shipbuilding Corporation, it may interest you to know, has already received from the United States Government over a half billion dollars'—not a half million, but a half billion dollars'—worth of orders. He is a sponsor of the William Allen White organization, and a director, also, in the New York Shipbuilding Corporation.

What else do we find? We find Col. Henry Breckenridge. He was sent recently to Lexington, Ky., to tell the people why they should get behind the William Allen White committee. Of course, I do not think he told them down there the same as he did when he was put on the spot, that he wanted a declaration of war, as he did over the radio; but when he said he wanted to do that, did he tell the people of Lexington, Ky., that his money, Col. Henry Breckenridge's money, is invested in corporations which make bombers, pursuit planes, and planes that are needed in war? Did he tell them that? I do not think so. Did he tell them that he was a founder of Aeronautical Securities, Inc., and that its money was invested in making great profits out of airplane contracts? No; he did not tell them that. I shall not bother the Senate to go into that, because once before I discussed Colonel Breckenridge on the floor of the Senate, and showed that his interest was not alone the patriotism of America, but the profits that came to him as the result of the sale of airplanes in this country. Oh, yes—a great patriot—"p-a-y-t-r-i-o-t," with the accent again, let me say, on "pay"!

We can go on down through the list, and we will find that individuals who are trying to shove America a little closer to the war are the ones who are getting profit out of it. Col. Henry Breckenridge says that we should give them all the airplanes we have and then qualifies it to say which we do not need for national defense. Whenever a plane is given it means an extra plane will be built, and almost every plane that is built means more profit for Colonel Breckenridge. The William Allen White committee is loaded with these war profiteers. So we will see, and history will record, that the American people today have in Washington a group of vultures who are just standing by to dive into these national-defense contracts at the expense of the American people. The American people do not have any opportunity to protect themselves. And what do these individuals say? They say, "Let us build these things at once. Do not quibble over prices, do not quibble over contracts, do not quibble over labor conditions, because if you quibble we will be invaded tomorrow. Slip me a contract before I go outside of the door." [Laughter.] In other words, they create a scare about the German Army coming over here with one hand pointing over there, and reaching out for a contract with the other. That is the group that is around Washington today, and which is helping finance politicians here in Washington. That is the kind of defense politics we are having. Not playing politics with defense, when today we all know that orders have been given to corporations the officials of which have in turn donated money to those in control? That is playing politics with national defense, not on the part of some of us who are in favor of national defense, who want to see the American taxpayer get a dollar's worth for every dollar spent. We want a dollar's worth of guns for a dollar out of the Treasury, we do not want 80 cents' worth of guns and 20 cents in campaign contributions. We want America protected, not only from invasion abroad but from the people in Washington who are sticking their hands into the taxpayers' pockets and taking money out, proclaiming their patriotism and also their adherence to those in power.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WILEY. I was interested in the statement the Senator made that the particular advertisement was paid for by several corporations. Am I right in that conclusion?

Mr. HOLT. I did not understand the question.

Mr. WILEY. Am I right in the conclusion that when the Senator spoke of the campaign book, he stated that these corporations had paid for the advertisements in the campaign book?

Mr. HOLT. That is correct.

Mr. WILEY. It is so indicated, is it not?

Mr. HOLT. That is correct.

Mr. WILEY. If that is the case, I cannot understand why there has not been a direct violation of the Corrupt Practices Act, which was the law away back in 1925, and is still the law. I refer to section 313. This is not the Hatch Act. This is the Corrupt Practices Act:

> It is unlawful for any national bank or any corporation * * * to make a contribution * * * in connection with any election at which Presidential and Vice Presidental electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

It seems to me that if the Senator has made out a direct case of violation of the Corrupt Practices Act it would be the business of the Attorney General's Department to prosecute. I know that there was some "whitewash" intended in that connection, but if the record itself shows that the advertisements were paid for by the corporations—and there cannot be any question that the money that was received was utilized for the book—it seems to me a clear case for prosecution has been made out.

Along the same line I wish to say to the Senator that there came to my desk today several letters from my own State, not exactly along the line we are discussing, but indicating that politics is indeed in the saddle. These letters, from residents of my own State, indicate that folks who were applying for jobs were assured they could not get employment in the Farm Security office until they had secured political endorsement for a place in the Democratic good book, the so-called Friant list. These letters specifically

asked that I get their names put on the Friant list. That would indicate that the Farm Security officers in Wisconsin are requiring Democratic political endorsement on the part of applicants for jobs in the State Farm Security Administration. This shameful political blackjacking is a violation of the spirit of the Hatch Act. It serves to sandbag jobbing applicants so that they may line up for the New Deal administration.

The Senator will remember that the Friant list was originated by the late Julian Friant, special assistant to the Secretary of Agriculture. It was a list of job applicants who received political clearance from the New Deal bigwigs. In return for joining the faith, they were promised jobs. This was indeed a flagrant example of swapping jobs for votes, a system by which the free choice of a free citizen is crucified, so that he barters his vote and political loyalty for a job. This trafficking in jobs and this political serfdom must cease.

The Senator called attention to the fact that this book had been sold page by page to corporations in this country who had paid their bit. Undoubtedly the situation is as the Senator says. It was a quid pro quo proposition. They bought; they received. But—and I say this to the distinguished Senator—the most dangerous thing in this country is the complacency with which our people at this time are receiving this information. They have apparently been educated up to the conclusion that this is all right, that this is the thing to do. Officers do not prosecute. No one pays attention. America must awake.

Mr. HOLT. Mr. President, I should like to say to the Senator that when I made a survey of the 1936 campaign book, and placed it in the CONGRESSIONAL RECORD, a copy of the information was sent to the Department of Justice, not only listing the individuals and corporations donating, but telling how much they donated, and the days on which they donated. Nothing was done about it, not a thing. That can be found in the 1938 CONGRESSIONAL RECORD, actually telling the exact dates on which the donations were made. Although I did not intend to go into the subject of the campaign book except as it affected national defense, I wish to say to the Senator that there is another interesting thing which happened in 1936. One beer company—and the Senator knows that beer companies are under pressure by the Government—donated $2,000 for the campaign book. The solicitors went to its competitor and got $10,000, then they went to another competitor and got $10,000. Then they went back to the original company and got them to ante up, in order to even up, and it had to give $8,000 for a second book.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. CLARK of Missouri. I do not approve of this practice any more than does the Senator from West Virginia, but when the Senator from Wisconsin says that this is evidently a practice to which the American people have been educated and have become calloused, I call his attention to the fact that it was a practice originated in 1920 by William Barnes, Jr., the Republican boss in the State of New York, on behalf of the Republican National Committee.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HOLT. I yield; but I wish to say that I brought this matter up, not for the purpose of discussing any party matter, but as it affected the national-defense contracts. However, I have no objection to the Senator from Wisconsin replying.

Mr. WILEY. I had no purpose, in rising and speaking, to go into ancient history. The present has enough challenge without going back even into New York or Missouri. The senior Senator from Missouri [Mr. CLARK] has just spoken. But we are facing a situation now in which all these things resolve themselves into a debilitating process. The youth of this country see these things, and observe them grow, with the idea that this is the thing to do. I should be very glad to join the Senator in introducing a resolution in the Senate calling for an investigation of this situation, to see if we cannot get action within a week on the very things about which we are talking. It is about time we were cleansing the stables in America. It is about time the American people were waking up to the fact that if they are to save this country they will have to save it at the polls in November.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. BRIDGES. What the Senator from West Virginia was getting at in regard to national defense in politics, I assume, was something like what I brought up in this Chamber some weeks ago about Mr. "Chip" Robert, the secretary of the Democratic National Committee, who in the last year or so obtained negotiated contracts for his firm to the extent of approximately $27,000,000, the fees to his firm amounting to about a million dollars. He obtained all these contracts before the new Secretary of the Navy took office except one which was arranged before the new Secretary took office. I brought this out, and so far there has been no action by the President of the United States demanding his resignation nor has there been any action by anyone in authority, the Attorney General or anyone else, and Mr. Robert is still secretary of the Democratic National Committee and I suppose is still attempting to solicit business on a negotiated contract basis for Government departments. I wonder whether the Senator is aiming at that type of politics in connection with national defense.

Mr. HOLT. Mr. President, I am aiming just at that type. But I want to say that we will find that history will record that many of these individuals who are flaming patriots today are much more interested in their own profits than they are in the defense of America. I wish to say that if I were to accept the contracts of which the Senator from New Hampshire speaks—the one with which Mr. Roberts is connected—I would resign as secretary of the Democratic National Committee before I accepted them. I would not smear the party in accepting them. I think Mr. Roberts did the party a disservice when he accepted them while holding his present position.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. BRIDGES. The Senator, I assume, feels also that an applicant applying for a job in connection with defense work in this country under the Council of National Defense, should not be discriminated against because of his politics when the work is done in the service of national defense and for the good of the Nation. I want to ask him if he knows of many Republicans or many conservative anti new dealers getting positions in defense work even though they may be the best qualified. [Laughter.] I will answer the question by saying I know a lot of qualified Republicans who have not got to first base and there seems to be no trouble in getting jobs if one can qualify as a new dealer.

Mr. HOLT. I could not answer that, because I am not a very good person to discuss New Deal patronage.

Mr. BRIDGES. The Senator is an authority on that for obvious reasons.

Mr. HOLT. I wish to say that I think it is reprehensible that an aircraft company, a builder of airships, or a builder of tanks, should be required to donate money to the Democratic committee while receiving orders from the United States Government. I think any individual who would support such procedure should have a feeling of shame. I do not know the background of it, but I do know it is a fact. I wish to say to the Senator from New Hampshire that I have opposed it in the Republican field as well as in the Democratic field. I do not care who is doing it, it is wrong. I am in a position to say when it is wrong, and I have tried to do so while a Member of the United States Senate.

Mr. BRIDGES. Mr. President, will the Senator yield further?

Mr. HOLT. I yield to the Senator from New Hampshire.

Mr. BRIDGES. The Senator, while discussing this line of patriotism and our getting into a national campaign, might be interested in some articles which I have in my hand. I

have an article published in the Knoxville Journal, which is headed:

Kipling's poem hailed; Bill's failed;
Parody on Roosevelt gets him jailed.

Under that heading appears an article in the September 11, 1940, issue of the Knoxville Journal. I have since somewhat investigated it personally. It says that a man down there by the name of William Manis was placed in jail because he circulated a parody having reference to Mr. Roosevelt.

The Senator from West Virginia I believe will recognize that this is getting into about the state of affairs that are found in dictator countries and the methods used are the methods used by certain dictator countries, when a man in circulating a parody adopted from a poem by Kipling, goes to jail and pays a fine in Knoxville, which is located in the very liberal State of the Senator from Tennessee [Mr. McKELLAR].

I wonder if the Senator from Tennessee approves that kind of justice in his State, where a man goes to jail and pays a fine simply because he circularizes a little poem, a parody on President Roosevelt? Is that the type of thing going on in this country today? Are we living under such conditions?

Mr. McKELLAR rose.

Mr. HOLT. I yield to the Senator from Tennessee.

Mr. McKELLAR. Of course, I do not know anything about it except what I have just heard from the Senator from New Hampshire. I have not seen the article from which he quoted. I must say, however, that if a man has been fined in Tennessee he probably was fined for violation of law.

Mr. BRIDGES. Would the Senator consider it a violation of law if a man wrote and circulated a little parody which has nothing wrong in it, about Mr. Willkie, and that he ought to go to jail for doing so? Do they not have a sense of humor in Tennessee?

Mr. McKELLAR. I would not consider it a violation of law and I do not think a man should be sent to jail for saying the same thing about President Roosevelt. I do not know, however, that the Senator from New Hampshire has gotten all the facts in connection with the case. I do not know what are the facts. There was in Tennessee sometime ago a very celebrated trial which aroused the whole country. It was the trial of a man who was prosecuted for a violation of the so-called evolution law. Much was said about it, but nothing came of it, because the man had violated the law and he was sent to jail in accordance with the law in Tennessee.

I have no doubt that if the man to whom the Senator from New Hampshire refers was sent to jail in Tennessee it was because he had committed an offense against the Tennessee law, and under a proper application of the law he was sent to jail. All the man has to do, in such circumstances, is to appeal the case.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HOLT. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Let me state to the Senator from New Hampshire that if the incident to which he refers occurred, it is simply an evidence of the insane war hysteria which is now sweeping over the country, and which I may say the Republican candidate for President, Mr. Willkie, by such speeches as the one he made in San Francisco Saturday, is doing as much as anyone else in the United States to encourage, except for that little group headed by William Allen White. If a man is put in jail for circulating a parody which is libelous on the President of the United States, that is certainly nothing compared to the thing that happened during the last epidemic of war hysteria in this country when a man in Texas was actually arrested for reading the Declaration of Independence.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. BRIDGES. I dislike to take up the time of the Senator from West Virginia, but I think this matter ought to be clarified a little.

Mr. McKELLAR. Will the Senator be good enough to read the poem?

Mr. BRIDGES. I certainly will. Here is the poem for which the writer was sent to jail. Of course they may have trumped up other charges against him to cover it up.

Mr. HOLT. Is the Senator going to read it in my time?

Mr. BRIDGES. It will only take a moment, quoting from the article Here's Part of Bill's "Rejected," which got him jail:

A stranger stood at the gates of hell,
And the devil, himself, had answered the bell.
He looked him over from head to toe,
And said: "My friend, I'd like to know
What you have done in the line of sin
To entitle you to enter within."
Then Franklin D., with his usual guile,
Stepped forth and flashed his toothy smile.
"When I took charge in thirty-three,
A nation's faith was mine," said he.
"I promised this and I promised that,
I calmed them down with a fireside chat.
I spent their money on fishing trips,
And fished from the decks of their battleships.
I gave them jobs on the P. W. A.,
Then raised their taxes and took it away.
I raised their wages and closed their shops,
I killed their pigs, I burned their crops."

Bill's poem, which was attached to the habeas corpus petition, continued through several more verses, and wound up:

Now Franklin talked, both long and loud,
While the devil stood, and his head he bowed;
At last he said, "Let's make this clear,
You'll have to move, you can't stay here,
For once you mingle with this mob
I'll have to hunt myself a job."

That is the poem.

Mr. HOLT. Does the Senator mean they sent him to jail for circulating that poem?

Mr. BARKLEY. Does the Senator mean that he got off with a jail sentence for writing that sort of stuff? He is certainly lucky to get off with merely a jail sentence for writing that sort of thing.

Mr. McKELLAR. I think a man who will deliberately tell a falsehood about the President of the United States such as that contained in the poem which the Senator from New Hampshire read got off very lightly with a $10 fine.

Mr. BRIDGES. I simply wanted to take the time of the Senator from West Virginia to find out and to indicate what the trend in the country is with reference to the matter of freedom of speech, when a man who circulates a simple parody about the President of the United States, which has nothing wrong in it, is put in jail and brought before the courts and then fined $10. Of course, they attempted to cloud the issue by trumping up other charges, too.

That appeared in the Knoxville Journal of September 11, 1940, in the State of the Senator from Tennessee. That is my authority for the statement.

Mr. McKELLAR. Mr. President, all I can say is that there is no doubt about that good, lifelong Republican newspaper being very angry at the present popularity of the President of the United States. It maligns him all the time. It is simply one of the things they possibly printed when they ought not to have printed it. I do not know what the law is with respect to such matters. If what was done was against the law, the man who did it ought to have been fined.

Mr. BRIDGES. Mr. President, I do not know that Congress has passed any law covering such matters. It might have been a local or a State law. He might be fined and jailed on some other offense as an excuse. But what was done was done under the Democratic judicial system down there, and I simply bring it up to show that we are getting into a certain trend here in this country.

Mr. McKELLAR. We have a Republican Federal judge there who might look after the matter for the Republican Party.

Mr. BRIDGES. I will say that the Senator from Tennessee is going to help them as much as he can and as fast as he can by adding judges.

Mr. McKELLAR. Yes; we are going to add them when appointment of judges is necessary to be made in a Democratic administration, in precisely the same way that the Republicans added Republican judges when vacancies arose under Republican administrations.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. BARKLEY. I am afraid, however, that the poetic trend, as indicated by the poem the Senator from New Hampshire read, is nothing to boast of.

Mr. HOLT. Mr. President, of course, when I started to discuss this matter I did not realize that I was going to have a discussion of the political situation. Four years ago I placed in the CONGRESSIONAL RECORD an article opposing the idea of blackjacking corporations. I think it is an insult to good American government to do so. I opposed it then, so my opposition to it now is not anything new. I say it is worse now when blackjacking is done in connection with national-defense contracts.

What do I find on page 164 of this year's book? I find a quarter of a page ad by the Fairchild Aviation Corporation. I do not know how much of a contract was gotten for a quarter of a page ad, but the York Safe & Lock Co. received a $3,000,000 contract and a half-page ad. Remember my comparison of the profits of the Fairchild Aviation Corporation in 1940 as compared to 1939.

The Fairchild Aviation Corporation advertised in the campaign book:

Aerial cameras and instruments for national defense.

I say those are things which are pointing to something very important in this country. I think it is time the people were finding it out.

WAR HYSTERIA

As to the case referred to by the Senator from New Hampshire, I wish to agree with the Senator from Missouri that we in America are entering today the path of war hysteria, and every day we continue down that road the hysteria will get worse. We will see American liberties wiped out by so-called patriots, men who want to defend America, and at the same time we will destroy the Bill of Rights of the Constitution, which protects the individual.

We have started the wheels going. We have started them by preaching hate. I do not speak of that in a domestic sense, but I speak of hate for nations across the sea, and hate for everything.

When we continue the process of hate we destroy the reasoning power of individuals; and when we destroy that we destroy justice within man's own mind. We shall not suffer as the Senator from New Hampshire spoke of the man from Tennessee suffering; but if we go down that road much farther the time will come when there will be no free speech, no free press, and no free assembly in this country. We have already seen signs of it. If a man dares to question national-defense contracts, he is accused of being against national defense, as I have been accused merely because I want the American people to get a dollar's worth for every dollar spent.

This is only the start. The trend was started in Congress by hysterical emotions, and the American people have gone down the road with us. Let us realize that the contracts to which I refer are a symptom of an attack on democracy in this country and makes us wonder whether or not we are facing a serious problem within our own borders.

When we corrupt government we destroy it. The practice of "blackjacking" corporations which are receiving national-defense contracts is a corrupt practice which should be prosecuted by the United States Government; but you know and I know that it will not be prosecuted. There is but one way out. The people themselves can understand and can speak with greater authority than those in power today.

EXTENDING THE CLASSIFIED CIVIL SERVICE

The Senate resumed consideration of the motion to proceed to the consideration of the bill (H. R. 960) extending the classified executive civil service of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New York [Mr. MEAD].

Mr. BURKE obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Johnson, Colo.	Schwartz
Andrews	Ellender	King	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	McKellar	Shipstead
Bailey	Gerry	McNary	Smith
Barkley	Gibson	Maloney	Stewart
Bilbo	Gillette	Mead	Taft
Bridges	Glass	Miller	Thomas, Idaho
Bulow	Green	Minton	Thomas, Okla.
Burke	Guffey	Murray	Thomas, Utah
Byrd	Gurney	Neely	Townsend
Byrnes	Hale	Norris	Tydings
Capper	Harrison	Nye	Vandenberg
Caraway	Hatch	O'Mahoney	Van Nuys
Chavez	Hayden	Overton	Wagner
Clark, Idaho	Herring	Pepper	Wheeler
Clark, Mo.	Hill	Pittman	White
Connally	Holt	Radcliffe	Wiley
Danaher	Hughes	Reed	
Davis	Johnson, Calif.	Russell	

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from New York [Mr. MEAD] that the Senate proceed to the consideration of House bill 960.

Mr. BURKE. Mr. President, I rise in opposition to the pending motion submitted by the junior Senator from New York to take up what is called the civil-service bill, and I feel that, at least, a few words in explanation of my position are necessary, for the reason that normally one opposing a motion to take up a bill is, of course, classed as an opponent of the particular measure; but I am not in that position. I am open minded on the Mead civil-service measure. I hope that before the Senate adjourns it may be brought up for discussion, and I shall listen very carefully to the argument and then make up my mind whether to support or oppose it. The reason I rise in opposition to the motion to take up that bill at this time is well known to those who have followed the proceedings and requires an explanation. Let me say, first and preliminarily, that if the majority leader would indicate a willingness to permit the Senate to consider and do what it will with another measure, namely, Senate bill 915, the Logan-Walter bill, I would say nothing at all on the pending motion, and in fact would vote to take up the measure; but because for a year and a half, we, a subcommittee of the Senate Judiciary Committee have been endeavoring without success, to bring before the Senate for consideration the highly important measure known as the Logan-Walter bill, it seems necessary now that, as we approach the end of this session, we should oppose the motion to take up any other measures, one after the other, until we are successful in bringing the Logan-Walter bill before the Senate for consideration. So I propose, within such a reasonably short time as I may express my thoughts, to give something of the history of this particular measure and a comparatively brief statement as to the merits of the proposal itself.

Something more than 16 months ago, the Senate Committee on the Judiciary favorably reported Senate bill 915, which went on the calendar, and appears there under the number 475. It is described as a bill "to provide for the more expeditious settlement of disputes with the United States, and for other purposes."

Question has been raised by opponents of the measure, who are largely outside of the Senate and clearly outside the other body, because the House passed a similar measure by a majority of more than 3 to 1 many months ago. Opponents of the measure, largely in some of the administrative agencies, found a great many objections to the measure. The first question they have raised is as to the title. I say in reference to that that if the title which I have stated,

namely, "a bill to provide for the more expeditious settlement of disputes with the United States, and for other purposes," does not properly and adequately describe the measure, let the title be changed. Call it, if that is preferred—and it seems to me the new title would be more adequate—"a bill to establish essential curbs on administrative tribunals for the protection of the rights of the citizen when engaged in controversy with his Government."

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. CLARK of Missouri. The Senator will remember that the title can always be changed after a bill has been passed.

Mr. BURKE. Yes; I think we ought not to waste any time about the title. I referred to it only because a very learned discussion was recently printed on the subject in a publication in which several pages at least were given to the defective title which this bill bears. So I say it seems to me a more adequate title would be "A bill to establish essential curbs on administrative tribunals for the protection of the rights of the citizen when engaged in controversy with his Government."

The bill was reported, as I have said, almost a year and a half ago, and when the Senate Calendar was called on June 13, 1939, the senior Senator from Kentucky [Mr. BARKLEY] objected to its consideration at that time. The measure was known as the Logan bill because it was introduced and sponsored and carried through the hearings and through the committee by the late junior Senator from Kentucky, Mr. Logan. When it was called for the first time on June 13, 1939, the senior Senator from Kentucky then objected to its consideration. He stated, as the RECORD will show, that he had been requested by the then Attorney General to have the bill passed over until a committee theretofore set up by the Attorney General had completed a study of the agencies involved, a study in which it was then engaged, on June 13, 1939.

A few weeks later, when the calendar was again called, no objection was raised, and the bill, therefore, passed by unanimous consent. I was on the floor at the time, and was somewhat surprised at the failure of any Senator to object to the passage of the bill. I had no doubt if the Attorney General and his committee, in the interim since the objection was first made, a period of 2 weeks, had applied themselves to a study of the measure in the same spirit of fairness and determination to help correct a bad situation, the same spirit with which the problem had been approached by the subcommittee and the full Committee on the Judiciary, that they would have reached a like favorable result and would have had no occasion to ask that the objection be renewed. My surprise at the absence of objection was occasioned by the apparent demonstration that the committee had completed its study in 3 or 4 weeks, whereas I had expected it would take 3 or 4 months for it to accomplish the task. In that respect I did not misjudge the committee, for it is now disclosed that, instead of doing its job in a few weeks or a few months, the Attorney General's committee, after the elapse of much more than a year, has still not made its report, and we are now told that possibly in a month or two the committee will be ready to report. But it turned out that the failure to object to the passage of the bill on that occasion was due to mere inadvertence. A motion to reconsider was promptly entered, and, of course, agreed to.

The proposal, after all, is of such far-reaching importance that it certainly ought to be thoroughly debated and carefully considered on its merits; and it seems to me that the time has now come for that. It would be even worse for the Congress to postpone consideration until some committee, with the appointment of which it had nothing to do, a committee which is not responsible or responsive to it in any particular, may be ready to report. After all, as Mr. Justice Holmes once said:

> Something must be conceded to the shortness of human life.

In connection with the acceptance of the favorable action on the motion to reconsider the passage of the measure by unanimous consent attention was called the other day to the statement made by our distinguished leader at that time. I mention this not by way of criticism at all, as I know that what he then stated was what he expected to be done, and that he feels the fact that the Attorney General's committee has not yet made its report is a sufficient reason to permit the Congress to adjourn without any action, but, as was called to my attention the other day by the senior Senator from Vermont [Mr. AUSTIN], when I had the floor and was speaking on this matter, what amounted to an agreement was made between the senior Senator from Kentucky and the then junior Senator from Kentucky before consent was given to reconsider the passage of the bill which had taken place by unanimous consent. The language of our leader, as quoted from the RECORD, was that the bill should go back on the calendar—and this was toward the close or late in the last session of Congress—"with the understanding that the measure be taken up at some date early in the next session."

We cannot take it up early in this session; we have had practically 9 months of this session now; but we will overlook the use of the word "early," and still say that there was a gentlemen's agreement that the bill certainly should be taken up at this session of Congress. It may be voted up or voted down. I have no idea what the Senate will do with the measure when it comes to consider it; but it seems to me very plain that giving consideration to fair dealing, under those circumstances certainly no objection ought to be made to submitting this matter to the Senate for its consideration at this session. That is all we are asking; and it is the fact that we have been unable to secure consideration of the bill in this session, and have the assurance that we cannot secure it unless we fight for it, that we are now taking these steps in reference to the pending motion.

I do not know whether or not a sufficient number of Senators will be willing to vote against the motion of the junior Senator from New York [Mr. MEAD] in order that we may accomplish this purpose; but certainly the Senators who are not on the Judiciary Committee and are not familiar with this bill are entitled to have some explanation of it, how it came into being, and what it is, before they are called upon to pass upon that question. Those who are interested in the civil-service bill need have no fear, if they vote against its immediate consideration and permit the Logan-Walter bill to be discussed, that there will be any difficulty on the part of the junior Senator from New York in receiving recognition again, and renewing his motion, and having very prompt action upon it.

It has been reported by the press, and I assume with accuracy, and my own observation would tend to bear it out, that on last Friday, when we were about ready to have action on the final conference report which was listed to be taken up on the Export-Import Bank, our good friend the majority leader took pains to go to the then occupant of the chair to be sure that he would not overlook recognizing not the senior Senator from Utah [Mr. KING] or the senior Senator from New Mexico [Mr. HATCH] or myself to move to bring up this bill, but instead the junior Senator from New York [Mr. MEAD]. Of course we understand that that is the policy, and that it will be followed for whatever number of days we remain in session; so we have no alternative now except to explain the bill, and try to persuade a sufficient number of Senators to join with us in saying we will consider nothing else, however much we may favor it, until there has been an opportunity to discuss the Logan-Walter bill.

So I proceed.

Students of government have watched with mingled feelings the rapid expansion of the administrative process. On the one hand, there has been a sense of satisfaction that a method has been found to relieve Congress and the courts of functions which all admit they are not so organized as properly to carry out. On the other hand, the process has been viewed by others with a sense of alarm at the lack of restraint shown by a very considerable portion of the personnel of these administrative bodies, a grasping for power, a disregard

of long-established and cherished procedures which the average citizen believes to be essential in safeguarding his individual rights and privileges, particularly when he finds himself under attack from his own Government. The problem has long been clear, how to preserve the undoubted good in the administrative machinery and at the same time provide adequate safeguards against a continuation of abuses the existence of which no intelligent and honest-minded person dare deny or minimize.

It seems to me that little help is given toward finding a solution for this problem by those who attack administrative law as a cancerous growth, by those who would destroy it root and branch if that were possible. Plenty of justification for hostility to administrative boards has been supplied by short-sighted, narrow-minded, prejudiced administrators who have deluded themselves into believing that they are the chosen people to bring to an end in large part the judicial process developed through centuries of effort. These zealots have no faith in courts—at least, not in the kind of courts which we have heretofore had in this country. They recognize no merit in the separation of legislative, executive, and judicial powers. This attitude, I say, affords considerable justification for those who would like to go the full length in curbing and shackling an instrumentality which they consider to be a serious threat to our liberties. But that is not the way of progress. It may as well be recognized by all that the administrative tribunals are an essential part of modern governmental machinery. Our task is not to weaken or destroy, but to make them useful servants instead of unbridled masters.

It seems to me also that just as little help is offered by those who would make idols out of these administrative boards, who are eager to engage in a holy war against anyone who would touch them, restrain them, insist upon safeguarding the citizen who is haled before them for the determination of his personal and property rights. They do not serve well who would prevent or unduly delay consideration of the serious questions here involved. Any temporary success they may have in preventing needed reforms may very easily result in such a rising tide of opposition as to sweep away the good along with the bad.

In 1932 a significant volume was published under the title "Our Wonderland of Bureaucracy." It was the work of the then Representative and former Solicitor General, James M. Beck, of Pennsylvania, in collaboration with Col. O. R. McGuire, now chairman of the committee on administrative law of the American Bar Association. The growth of bureaucracy in this country was there set forth with supporting facts and figures which have never been successfully denied. So startling was the picture which these two students of American Government painted that thoughtful citizens throughout the country were deeply stirred.

In the 8 years that have elapsed since the publication of that volume the problem of checking bureaucratic government, preserving the good in it and eliminating the evil, has had the constant attention of a great number of American citizens. Those who now plead for delay in consideration of the Logan-Walter bill on the ground that it covers a new field and must be studied for a few months, or a few years, perhaps, before any action can properly be taken, speak in ignorance. They themselves may have been asleep. Others have been wide awake, and are ready for action now.

Almost immediately after publication of Our Wonderland of Bureaucracy the American Bar Association created a committee on administrative law. To it was assigned the task of making a thorough study of the entire subject with recommendations for necessary legislation—legislation, as was well said, whereby the governors themselves would be governed and the regulators themselves regulated.

In 1933, 1934, 1936, 1937, 1938, and again in 1939 this committee filed comprehensive reports with the association setting forth the unsatisfactory situation that had developed in many of the administrative tribunals. In 1937 the committee submitted a draft of a bill designed to bring about the necessary corrections. This bill was debated ably and thoroughly in the house of delegates of the American Bar Association at the convention of 1937 in Kansas City. It is worth while to note that the house of delegates of the American Bar Association is a democratic organization, consisting of at least two members from each State, one of whom is elected by the members of the American Bar Association in that State, the other by the State bar association. In addition, the larger city bar associations each choose one or more delegates. Finally, there are represented certain affiliated organizations, such as the American Law Institute, the American Judicature Society, the Federal Bar Association, and the National Association of Women Lawyers.

One of the greatest legal authorities of our time, a former judge in Nebraska, and for many years dean of Harvard Law School, was at that time made chairman of the committee on administrative law. I refer, of course, to Roscoe Pound. Before continuing with the story of that committee let me say that in the 3 years that have passed since he was chosen as chairman of that committee Dean Pound has devoted his superlative talents unceasingly in the effort to secure legislation that will insure that administrative tribunals function in accordance with American standards of justice and fair play. To that end he has written, and lectured, and appeared as a witness in the hearings conducted by the Logan subcommittee, to which I shall later make reference. Those hearings commenced on April 1, 1938. On the first day of the hearings there was presented and printed in full in the record the bill drafted by the committee of the American Bar Association.

At this time, since I have mentioned the name of Dean Pound, I wish to read a letter which I recently received from him:

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., May 18, 1940.

Hon. EDWARD R. BURKE,
United States Senator, Washington, D. C.

DEAR SENATOR BURKE: I have looked over the bill for an act to provide for the more expeditious settlement of disputes with the United States, and for other purposes, as it has been passed by the House of Representatives, and must say I think the bill has been distinctly improved by the changes made in the House.

I may interrupt the reading there to say that since the House took the action the Senate Committee on the Judiciary has made further changes which we think still further improve the bill. Former Dean Pound continues:

While this bill has been attacked severely by certain law professors in the legal periodicals, I remain firmly of the opinion that it ought to be passed and that it represents a great step forward in administrative law in this country. There is crying need of providing for a simple, expeditious, nontechnical mode of review of administrative determinations which will insure that there is a real record of administrative action in determinations made in quasi-judicial proceedings, and that upon that record there can be a judicial review to insure that the administrative action is within the limits of the Constitution and the statutes and has afforded a full and fair opportunity to all interested parties to present their case and be heard upon the matter upon which the administrative determination is based. It seems to me it is equally necessary to insure that judicial review shall not replace the discretion reposed by law in administrative agencies by the discretion of a court.

That of course is a vital point which must be emphasized, that Dean Pound, who approves the bill in its present form, insists that we must "insure that judicial review shall not replace the discretion reposed by law in administrative agencies by the discretion of a court."

Mr. HATCH. Mr. President——

The PRESIDING OFFICER (Mr. WILEY in the chair). Does the Senator from Nebraska yield to the Senator from New Mexico?

Mr. BURKE. I yield.

Mr. HATCH. Is there anything in the bill which would have the effect of substituting the decision of a court for the discretion of the administrative body?

Mr. BURKE. I am very sure there is not, and I am equally sure that when we come to a discussion of the bill the senior Senator from New Mexico, who has from the very beginning been one of the closest students of the whole problem, will agree with the subcommittee and the full committee that there is nothing in the bill which will be before the Senate for consideration if we succeed in our efforts, which will

substitute the discretion of a court for that discretion which Congress has wisely reposed by law in the administrative agencies.

I proceed with the letter from Dean Pound:

As things stand today, where review so often has to take the form of a suit in equity in which the testimony has to be taken over again, or at most the case reviewed as a whole de novo, the danger of substituting the court for the administrative agency is very real. The act in question avoids this by making the judicial review what it ought to be, confining it to its real function.

No less important are the provisions with respect to ascertaining the validity of administrative rules by declaratory judgment. Every consideration which calls for administrative guidance in advance rather than prediction of the legal aspects of the conduct of enterprises, action at peril in advance of determining the law, and judgment of the conduct of enterprises after the event, calls equally for giving assured validity to that guidance by determining the validity of administrative rules wherever controversial in advance of their operation.

It is an intolerable situation that a suit upon a promissory note to recover $50 is hedged about with every sort of safeguard, while administrative determinations which may involve millions of dollars are without any effective checks in many particulars and those involving very serious individual interests in the case of some administrative agencies are not subject to a review which is practically available to the persons aggrieved. It is equally intolerable that while legislative lawmaking is hedged about with requirements of reading of bills in extenso, printing them, having committee hearings, and a final review by the executive, and legislative-made rules are published and readily accessible, no such checks operate upon administrative rulemaking which may affect interests of the highest importance. In the case of judicial rulemaking ample provisions for publicity exist. There can be no reason why a rule of court with respect to the technicalities of taking a deposition should be subject to checks, while administrative rule making affecting vital interests should not.

I have read diligently the arguments by certain law teachers directed against the bill, and feel assured that the objections raised are not serious. It cannot be that administrative rule-making power is unduly hampered. The power of rulemaking carries with it a power of amending or abrogating rules, and experience may develop administrative rules exactly as it develops judicial rules. But an unrestrained power of rulemaking pending experience is as contrary to the fundamental ideas of American government in the one case as in the other.

Most of the argument against the bill proceeds from those who believe that administration should be a fourth department of government combining legislative, judicial, and executive authority and runs counter to ideas of government which have been at the foundation of our institutions from the time when following the Declaration of Independence our American States, which had had a bitter experience under the colonial regime of the royal governor and council as legislature, court, administrative authority, and executive in one, set up frames of government based upon a separation of powers.

Yours very truly,

(Signed) ROSCOE POUND.

I refer now to one sentence only in Dean Pound's letter, a single sentence in which is set forth practically the entire case for passage of this bill. He calls attention to the need for "a simple, expeditious, nontechnical review of administrative determinations which will insure"—

First. A real record of administrative action in determinations made in quasi-judicial proceedings.

Second. Upon that record a judicial review to insure that the administrative action is within the limits of the Constitution and the statutes.

Third. A record that must show that a full and fair opportunity was afforded to all interested parties to present their case and be heard upon the matter upon which the administrative determination is based.

There is the heart of this proposed legislation. A record of the proceedings leading up to administrative determinations, a record which must disclose that the action is within the Constitution and the statutes, a record which must show that the action was taken after notice and opportunity to interested parties to be heard. That is substantially all there is to the Logan-Walter bill. It is difficult for me to believe that there is a single Member of this body who is willing to be classed as opposed to the fundamental propositions which I have just laid down.

I have proceeded to the point of the designation of Dean Roscoe Pound in 1937 as chairman of the committee on administrative law of the American Bar Association. It will be worth while to note the other members of that committee: James R. Garfield, former Secretary of the Interior; Col. O. R. McGuire, who has already been mentioned as a joint author of Our Wonderland of Bureaucracy, who has been a member of the committtee since it was established in 1933, and at different times has served as its chairman; Walter F. Dodd, former professor at Yale Law School; Robert F. Maguire, former president of the Oregon State Bar Association; and Julius C. Smith, twice president of the North Carolina bar.

It was largely through the efforts of this very representative and capable committee that the original draft of a bill was completed to protect the rights of the citizen who becomes involved in a controversy with his Government before an administrative tribunal. The draft of the bill was submitted to all the judges of the circuit courts of appeal and to many other judges and lawyers for comment and suggestion. Letters were sent by the committee to teachers of administrative law and to others throughout the country who might have special knowledge of the subject. As an example, I have before me a copy of a letter bearing date of September 16, 1938, addressed to the then Attorney General, Homer Cummings. It reads:

AMERICAN BAR ASSOCIATION,
SPECIAL COMMITTEE ON ADMINISTRATIVE LAW,
September 16, 1938.

Hon. HOMER CUMMINGS,
The Attorney General of the United States,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL: This committee submitted with its 1938 report to the Cleveland convention of this association a definitive draft of bill. We realize that the draft is not perfect—but we are sincerely desirous of making it as nearly so as possible.

Having regard—and high admiration—for your capabilities as an administrator, I should like for you to give me entirely unofficially your comments and suggestions as to how we may improve the draft of bill as to insure, if at all possible, a greater measure of justice between the United States Government and the individual. We realize that there are here involved conflicting interests. While we are opposed to administrative absolutism, as set forth in the report, nevertheless we wish to avoid a state of administrative chaos.

It will be so much better, if it is at all possible, to secure substantial agreement with the terms of the draft before it is introduced in the Congress, and I do hope that as a member of the association you will see fit to have this draft examined by your experts and that you will advise me frankly of your views; also, whether I am to treat such views as confidential, or whether I may use them with certain members of the association.

Very respectfully yours,

O. R. MCGUIRE, *Chairman.*

Before the above letter was written, the committee held a joint meeting with the committee on administrative law of the Federal Bar Association, whose chairman was then John Dickinson, former Assistant Attorney General of the United States, who is a recognized authority on administrative law.

In that connection, Mr. President, and interrupting my statement, I wish to refer at this time to excerpts from an address delivered to the American Bar Association in its annual meeting at Philadelphia last week, by the same Mr. John Dickinson to whom I have just referred as being in 1938 chairman of the committee on administrative law of the Federal Bar Association. Mr. Dickinson, it will be remembered by us all, came into this administration as Assistant Secretary of Commerce. A little later he became Assistant Attorney General, and he had a most distinguished record in the Department of Justice. He is the author of one of the most authoritative volumes on administrative law, and all who have any knowledge of this important subject recognize that the words of John Dickinson are entitled to the very greatest attention. I will take this opportunity to read these remarks into the RECORD so that our colleagues who are now otherwise engaged, but will, of course, read the RECORD carefully before voting on the pending motion, will have the opportunity to have the benefit of Mr. Dickinson's views. This is a portion of the address which he delivered in Philadelphia last week:

The considerations which have been summarized as expressing the view that judicial review as available under present law is in certain respects too restricted are those which are responsible for the provisions of the so-called Logan-Walter bill, endorsed by this

association, and now pending in Congress, insofar as those provisions deal with the question of review. All things considered, they would appear to justify the changes proposed by the bill and the action of the association in recommending it. It may well be that the bill, if enacted into law, would from time to time be found in need of amendment in matters of detail. Specific varieties of administrative action might be disclosed to which its provisions would not be properly applicable, or as to which its protection would not be needed. If this should prove to be the case, there is no reason to suppose that the necessary correctives would not follow either from a reasonable judicial construction of the act or, if necessary, in the form of amendments.

I will say for the benefit of any Senators who may have come to the floor in the last few minutes, since I started reading, that I am reading excerpts from an address delivered to the American Bar Association at Philadelphia last week by John Dickinson, who came into the present administration as Assistant Secretary of Commerce, and later had a most distinguished record as Assistant Attorney General, and who speaks with authority on the subject of administrative law, having served, as I said, as chairman of the committee on administrative law of the Federal Bar Association, and who is likewise the author of one of the most authoritative volumes on this important subject. Mr. Dickinson prcceeds:

In considering the desirability of the legislation, two illuminating facts stand out from the prolific debate and controversy which it has engendered. The first is that, leaving aside its possible inapplicability to special and exceptional situations, it would ensure the minimum requirements of review in a way in which they are not now ensured, and would supply those minimum requirements with uniformity in all the cases where they are needed. This would appear to be a desirable result. The second fact is that, in spite of the attempt to concentrate attention upon the alleged impropriety of applying uniform standards of review to special and exceptional situations, the attack upon the bill does not rest fundamentally upon this criticism of its provisions, but penetrates to far deeper considerations which go to the root of the whole theory of government, and an understanding of which is essential to any consideration of the problem of judicial review.

In the first place, a view is beginning to crystallize, largely among Government officials and those more immediately associated with them, to the effect that administrative action in the field of private conduct, and more particularly business and economic conduct, is not, as has hitherto been generally supposed, for the purpose of policing and regulating such conduct so as to make it conform to a standard of legislative requirements, but, on the contrary, is for the purpose of superimposing governmental management over, and in substitution for, private management.

On this view, the guiding consideration of administrative action is not to secure, through the flexibility incident to such action, more effective conformity by individuals to lines of conduct prescribed by the legislature, but is instead the far broader one of making the inividuals who are subject to the regulation do from time to time whatever the administrative body regards as conducive to the proper management of their affairs. Clearly, if such a view is taken, most of the thinking which has hitherto been applied to the scope of administrative action and the relation of that action to its statutory basis becomes irrelevant. A far broader field of discretion opens up before the administrative agency that would be permissible if its functions were regarded as confined within the four corners of particular legislative mandates, no matter how vaguely stated. Clearly, for example, if a body empowered to regulate rates conceives its mandate as not merely to establish rates which are fair as between the utility and its patrons, but rates which in its managerial judgment will accomplish some result that for the time being it regards as for the good of the industry, the type of considerations which it will then be entitled, and, indeed, required to apply include little or nothing that can properly be passed upon by a court whose function is to delimit spheres of competing interests in accordance with principles of justice and fair play between man and man.

Associated with this new conception of administrative power, and closely related to it, is a novel and interesting conception of the relation of the administrative agency to the statute from which it derives its authority. The hitherto accepted view upon which all the decisional law has been based is that a statute, no matter how broadly and vaguely expressed, does not merely carve out a field of action for the administrative agency and prescribe a direction or directions for its activity, but also sets an end limit to those activities beyond which they may not lawfully go. To adhere to the figure, the agency is circumscribed on all sides by a boundary of law, and the courts, in the exercise of their power of review, have the function of defining these boundaries and restraining the agency within them. The newer theory is a different one. To change the figure, it views the statute as an open-end instrument which brings the agency into existence, projects it in a certain direction, and then authorizes it to go as far in that direction as it pleases in its own unfettered discretion. Obviously, if this view is taken there is again little if any function left for judicial review. The only limitation upon the administrative authority is the supposed purpose of the statute, which is so broadly conceived as to lay no basis for judicial reasoning, and to convert all issues into issues of policy which are clearly more proper for decision by the administrative agency itself or by the legislature than by the courts.

So far these views have attained no wide acceptance, either in the profession or among the public generally, which hardly knows of their existence, but they are already widespread among governmental administrators themselves. Their adoption would render the discussion of judicial review simply irrelevant; but it would at the same time render irrelevant and obsolete, at least in the field of governmental action, most, if not all of what has hitherto been understood as law.

There is a final view which discounts efforts to broaden the availability and increase the effectiveness of judicial review of administrative determinations for another reason. This view, which finds some support among the bar and may well be described as defeatist in character, has been well expressed by Mr. John Foster Dulles in a widely circulated article, as follows:

"As to the right of review by the court, the lawyer should not be under great illusions. As a practical matter it is only in rare cases that court review serves any substantial purpose."[1]

Mr. Dulles goes on to speak discouragingly of the delays and expense of a review proceeding and of the significant fact that the individual who brings such a proceeding loses the good will of the administrative body with which he must continue to deal. He then quotes the following sentences from an address by Mr. Chester T. Lane, General Counsel of the Securities and Exchange Commission:

"Candor compels me to admit that the remedy of judicial review in most cases has no practical content. Business transactions cannot wait upon the exigencies of appeal. The overwhelming mass of administrative determinations are never reviewed by the courts. Time is of the essence. Even appellate procedure within the administrative by no means insures that the unfortunate results of action unwise or arbitrary will be cured."[2]

The fact stated by Mr. Dulles and Mr. Lane may be admitted in full without requiring the conclusion that court review does not serve a substantial purpose. It is, of course, quite true that relatively few administrative determinations can be, or will be, brought to the test of such review, but to draw from this fact the conclusion that review is therefore of no avail is precisely like saying that because relatively few disputes regarding contracts find their way into the courts, the right to enforce a contract in the courts is therefore unimportant. The point which such a view ignores is that it is the possibility of review which counts, rather than the question of whether or not any particular determination is taken into court for actual review. The possibility of review suspended over the administrative agency, like the possibility of bringing suit against a party to a contract, operates in actual experience as no other tool which social invention has discovered to restrain the tendency to arbitrary action by keeping vividly before the mind of the administrator the fact that he is supposed to conform to requirements which the courts have laid down in previously decided cases and to confine his activities within the sphere which such decisions have marked out for him. In other words, the effectiveness of review is not so much that it will be applied in the particular case as that it creates an administrative attitude which minimizes the necessity of its being applied.

The comments and considerations suggested in this paper are those which appear to be consistent, and the only ones which appear consistent, with the assumptions and presuppositions on which the body of our decided cases depends; and not merely the body of decided cases but the governmental practices and institutions to which we have been accustomed. It may be that those practices and institutions after continuing their development for a good many hundred years are now suddenly on the verge of being overturned almost without our being aware of the catastrophe; but if they are not, and if they are to continue their orderly development in the future as in the past, then judicial review of administrative determinations must, I am convinced, develop in the direction outlined.

That concludes the statement by Mr. John Dickinson. Of course, when he refers to "the direction outlined," he is referring to the curbs, limitations, and provisions with respect to administrative absolutism and denial of effective judicial review—the curbs contained in the pending Logan-Walter bill.

Before I digressed to read the remarks from John Dickinson I had just come to the point of saying that when the first administrative procedure bill was drafted, it was submitted by the committee—I am now referring to the special committee on administrative law of the American Bar Association—to the committee on administrative law of the Federal Bar Association, whose chairman then was the same John Dickinson whose statement I have just read. As I stated it was also submitted by the chairman of the committee to Mr. Homer Cummings, the then Attorney General. Having read the letter from the chairman of the committee to Mr. Homer Cummings, the then

[1] Administrative Law, an address given on January 14, 1939, at Langdell Hall, Cambridge, under the joint auspices of the Bar Association of the City of Boston and Harvard Law School, by John Foster Dulles, p. 17.

[2] Dulles, p. 19.

Attorney General, I think I should read the reply. The reply is signed by the then Assistant Solicitor General, Mr. Golden W. Bell. The letter is addressed to the chairman of the special committee on administrative law of the American Bar Association. It is dated Washington, October 18, 1939.

Your letter of September 16, 1938, to the Attorney General relative to the proposed bill, entitled "A bill to provide for the more expeditious settlement of disputes with the United States, and for other purposes", contained in the report which the special committee on administrative law of the American Bar Association made to the 1938 convention at Cleveland, Ohio, has been referred to me for attention.

Mr. President, I call particular attention to this correspondence with the Attorney General and his assistants back in the year 1938, when this measure was submitted to them, and their comments were asked, and some of them were received. I call attention to that fact because the only objection now urged to permitting the United States Senate to consider the bill, which has already so overwhelmingly passed the House, and has been before us for so long, is that the Attorney General has not yet completed an examination which he is making. I believe there are Members of this body who do not look altogether with favor upon the idea that the Congress of the United States should not act upon an important matter of this kind until some committee outside the Congress, not responsible to it or responsive to it in any way, has carried on its own investigations.

I think the Congress, through its standing and special committees, is well able to make whatever investigation is needed, certainly within the field covered by this particular legislation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BURKE. I yield to the Senator from New Mexico.

Mr. HATCH. The Senator is now discussing the point which has been suggested by many of those who are opposed to the Walter-Logan bill. They oppose it on the ground that it is an invasion of the executive branch of government by the judicial branch of government. I am sure the Senator has heard that argument made.

Mr. BURKE. Very often.

Mr. HATCH. What does the Senator think about the legislative branch of government being compelled to await advice and suggestions from the executive branch of government? Is any invasion involved in that suggestion?

Mr. BURKE. I think the point made by the Senator from New Mexico is exceptionally well taken, as is usually the case when he rises to make a point. Certainly, as was said in the course of a recent debate on this floor, here again is a matter which should be a two-way thoroughfare. I fully agree with the contention that the legislative branch of government should not encroach upon the field reserved to the executive branch, or, for that matter, the field reserved to the judicial branch. Certainly the reverse of that proposition should be true. The executive branch ought not to encroach upon the field reserved to the legislative branch. After all, the administrative agencies are arms of the Congress. They are vested with the authority which we give them. I am speaking particularly of the rule-making power. In a sense, we permit them to write legislation by implementing statutes which we pass.

Mr. HATCH. Mr. President, will the Senator further yield?

Mr. BURKE. I yield to the Senator from New Mexico.

Mr. HATCH. Of course, under the Constitution there is a connection between the executive branch of the Government and the legislative branch, by which the Executive—that is, the President—transmits messages and makes recommendations to the Congress; yet, so far as I know, I have never before heard that the Congress must wait until some committee appointed by the Executive has had time to advise the Congress what the Congress should do.

Mr. BURKE. Again the point is well taken; and I reiterate that this matter has been before the Attorney General's Department in the proper way in which it could come before it. The proposals were submitted to the Department of Justice by the Judiciary Committee of the Senate when they came to consider this legislation; but even before that an outside agency which, of course, had no authority at all in matters of legislation, but, being composed of lawyers of the country, would have the same right as any other group, and more reason for it in their case, to study this question—went to the trouble also of submitting their conclusions and the first draft of a proposal which they hoped some Senator or Member of the other body would lay before Congress for its study; but before doing even that they submitted the proposal to the Attorney General and asked for his comment. That was more than 2 years ago.

I have already read the letter to the Attorney General, and was starting to read the answer sent to the chairman of that committee by the Assistant Solicitor General. I shall read this letter because it indicates that the Attorney General's Department at that time had given some study to the question. This letter is rather critical of some provisions which were in the original bill, and possibly of some which may be in the bill as it is today.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. BURKE. Yes.

Mr. BARKLEY. I understand that the Senator has not concluded his remarks, and is willing to suspend now and conclude them tomorrow.

Mr. BURKE. That will be satisfactory.

Mr. BARKLEY. I am perfectly willing to stay here if the Senator wishes to finish tonight; but if he is indifferent about the matter I think probably we might suspend at this time.

Mr. BURKE. That is entirely satisfactory.

Mr. BARKLEY obtained the floor.

Mr. ELLENDER. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. ELLENDER. I send to the desk a series of amendments to House bill 960 and ask that they be printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, and lie on the table.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. WILEY in the chair) laid before the Senate messages from the President of the United States submitting the nominations of Bernard J. Flynn and August Klecka, both of Maryland, to be United States attorney and marshal, respectively, for the district of Maryland (reappointments), which were referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

Mr. HATCH, from the Committee on the Judiciary, reported favorably the nomination of Charles Fahy, of New Mexico, to be Assistant Solicitor General of the United States, vice Golden W. Bell, resigned.

Mr. MILLER, from the Committee on the Judiciary, reported favorably the nomination of Maurice M. Milligan, of Missouri, to be United States attorney for the western district of Missouri.

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the following nominations:

Tobias E. Diamond, of Iowa, to be United States attorney for the northern district of Iowa, vice Edward G. Dunn, term expired; and

Frederick Elliott Biermann, of Iowa, to be United States marshal for the northern district of Iowa, vice John B. Keefe, term expired.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, September 24, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, September 23 (legislative day of September 18), 1940

UNITED STATES ATTORNEY

Bernard J. Flynn, of Maryland, to be United States attorney for the district of Maryland. Mr. Flynn is now serving in this office under an appointment which expired March 1, 1938.

UNITED STATES MARSHAL

August Klecka, of Maryland, to be United States marshal for the district of Maryland. Mr. Klecka is now serving in this office under an appointment which expired January 19, 1938.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 23 (legislative day of September 18), 1940

POSTMASTERS

MASSACHUSETTS

Josephine M. Connell, Forge Village.
Lester L. Lewis, West Yarmouth.

MINNESOTA

Marvin Sidney Hillestad, Fosston.
Edward M. Schellhouse, Hills.
Alfred Anderson, Twin Valley.
Alfred Gronner, Underwood.
Mary A. Bradford, Verndale.

NORTH DAKOTA

Pauline Dougherty, Fordville.

WEST VIRGINIA

James H. Rouzee, Paw Paw.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 23, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou living and glorified Saviour, the cornerstone of God's great temple, as we go forth to meet the challenge of these turbulent times vouchsafe Thy presence unto us. We pray for the power of a faith that shall be in us, making a profound assurance that life is a venture with God. Clothe us with those spiritual values that reach highest, last longest, and make human life most memorable. In our hearts we pray that there may be no unforgiven sins, no cherished grudges, and no aching jealousies. Heavenly Father, many there are who are disturbed by doubt, others there are with broken lives walking the lonely road in fear and dread. Oh give to all questioning minds and tired hearts that peace and rest that come to those whose lives are hid with Christ in God. Become unto us all a fresh vision that will bring us to humility and penitence. Arm us with a high ethical religion, going deep into our convictions and spiritual lives, thus becoming an inspiration to the restless and distracted. Oh stand before the broken, aimless shuttles of our weak endeavors and weave the tangled threads into perfect patterns. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, September 19, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by, Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10361) entitled "An act to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1379) entitled "An act granting the consent of Congress to the Mackinac Straits Bridge Authority to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3550) entitled "An act to make unlawful the transportation of convict-made goods in interstate and foreign commerce."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 54. Concurrent resolution authorizing a change in the enrollment of the bill (S. 3550) to make unlawful the transportation of convict-made goods in interstate and foreign commerce.

The message also announced that the Senate agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 88. Concurrent resolution authorizing the printing of additional copies of Public Law No. 785, entitled "Transportation Act of 1940."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 4088) entitled "An act to amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. BULOW, Mr. HATCH, Mr. NORRIS, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1450. An act to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

OFFICE OF THE CLERK, HOUSE OF REPRESENTATIVES,
Washington, D. C., September 20, 1940.

The SPEAKER,
House of Representatives, Washington, D. C.

SIR: Pursuant to the special orders agreed to on yesterday, the Clerk of the House received the following message from the Senate:

That the Senate had passed, without amendment, the joint resolution (H. J. Res. 607) making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1941.

That the Senate had passed, with amendments, in which the concurrence of the House is requested, the bill (H. R. 10413) to provide revenue, and for other purposes.

The message also announced that the Senate insists upon its amendments to the aforementioned bill, requests a conference with

the House of Representatives on the disagreeing votes of the two Houses thereon; and appoints Mr. HARRISON, Mr. KING, Mr. GEORGE, Mr. CAPPER, and Mr. TOWNSEND conferees on the part of the Senate.

Respectfully yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.
By H. NEWLIN MEGILL.

ADDITIONAL APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1941

The SPEAKER. Pursuant to authority granted on Thursday, September 19, 1940, the Chair did on Friday, September 20, 1940, sign the enrolled joint resolution (H. J. Res. 607) which previously had been examined and found truly enrolled by the Committee on Enrolled Bills.

EXCESS-PROFITS-TAX BILL

The SPEAKER. Pursuant to authority granted on Thursday, September 19, 1940, the Chair did on Friday, September 20, 1940, appoint as managers on the part of the House to attend the conference on H. R. 10413, the excess-profits-tax bill, the following Members of the House: Mr. DOUGHTON, Mr. CULLEN, Mr. MCCORMACK, Mr. COOPER, Mr. TREADWAY, Mr. CROWTHER, Mr. KNUTSON.

EXTENSION OF REMARKS

Mr. WARREN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MARTIN J. KENNEDY] be granted permission to extend his remarks by inserting a speech made by Archbishop Spellman before the American Legion committee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUPPLEMENTAL APPROPRIATION BILL

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 2966), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. TABER. Mr. Speaker, I reserve all points of order on the bill.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief statement by the State administrator of W. P. A. in Kansas.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. GUYER of Kansas addressed the House. His remarks appear in the Appendix of the RECORD.]

PATRICK-VORYS DEBATE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I know everybody in this House has been standing on tiptoes since I challenged Mr. Willkie to debate. You certainly wish to know how it is turning out. Well, I want to report that that challenge resulted in a debate between the gentleman from Ohio, JOHN VORYS, and me. We speak tonight at the Burlington Hotel here in Washington. We want everybody, Democrat and Republican alike, who has anything to say to send in topics they think ought to be discussed between now and November 6. Our discussions are bound to result in some all-round good.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. HOUSTON. Did the gentleman set a dead line within which Mr. Willkie had to accept the challenge?

Mr. PATRICK. Yes; and the gentleman from Ohio [Mr. VORYS] won by just a nose.

Mr. HOUSTON. By a hair?

Mr. PATRICK. Yes; by one nose. Won by one.

Mr. HOFFMAN. We may read it if we cannot get down there?

Mr. PATRICK. It will no doubt be reported in full in all the newspapers.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that after the regular order of business on the Speaker's desk I may be allowed to proceed on Wednesday next for 30 minutes to discuss some of the fallacies of the New Deal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

THE CONGRESSIONAL RECORD

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I again rise to call attention to the Appendix of the RECORD. It seems to me we are justified in asking the various Committees on Printing of both Houses to do something to stop the abuse.

The most ridiculous example will be found on pages 5672 and 5673 of the Appendix of the RECORD, where two Members received permission to extend their remarks; both inserted the same editorial and both extensions appear on the same pages.

ADJOURNMENT OF CONGRESS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, there has been considerable discussion through the press and otherwise, to the effect that Congress expects to adjourn and go home the last of this week or the first of next. In view of world conditions, and considering the situation in our country, I just do not believe Members of Congress should adjourn and not expect to be in session again until next year. I know the Members want to go home. I am just as eager to get back to my district as any of you. I see no objection to a recess for a few weeks, but if we adjourn, Congress will not be in session again until January, unless the President sees fit to call us back for a special session.

In the last few weeks, Congress has spent millions and billions of dollars for defense purposes. We have provided for increases in the various branches of our armed forces. We have authorized an increase in our standing Army so that by January 1 we will have more than 1,000,000 men under arms. We have been asked to pass legislation without giving it the consideration to which it was entitled, because we were told these measures were so important and imminent that we did not have much time during which to fairly consider them. Mr. Speaker, I really believe, in view of the situation as it exists this afternoon, it is not the time for Congress to abdicate and walk out on the American people. There is plenty of work to be done. Furthermore, it will be a wholesome thing for Congress to keep its hand on the situation during these trying times.

Mr. HOFFMAN. Will the gentleman yield?

Mr. REES of Kansas. Yes; for a question.

Mr. HOFFMAN. What good do we accomplish if we stay here and follow every lead that comes up here from the administration?

Mr. REES of Kansas. I appreciate how the distinguished gentleman from Michigan feels about it, but I think the people of the country will feel better if the Congress stays on the job.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a prize-winning address entitled "Public Works," by Mrs. F. L. Renick, of Odessa, Mo.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I made to a group of sawmill employees at Dee, Hood River County, Oreg.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. McDOWELL]?

There was no objection.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on farm income and to include tables from certain departments.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my own remarks in the RECORD by including a short statement made by M. W. Thatcher.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a speech by Paul V. McNutt, Federal Security Administrator, at Cleveland, Ohio, on September 17, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include an article appearing in the Los Angeles Examiner by George Rothwell Brown.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. ENGEL]?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a short editorial entitled "Bright Lights of Willkie's High Lights."

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a statement entitled "Principles and Purposes."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ARENDS]?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit during the session of the House this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement appearing in the Detroit Jewish Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from the Detroit News headed "Turners launch campaign to train American youth."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Times of this morning.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the press shows that Washington is one of the few cities in which we have had a large increase in population during the past 10 years. Undoubtedly this defense program, or war program, I should have said, will bring down here another large group of people. I want to ask the gentleman from Indiana [Mr. SCHULTE], Are you going to keep this milk market closed so all these people coming in here have to pay tribute to Maryland or Virginia milk producers, or are you going to let us get a good grade of milk from outside, from Michigan, Pennsylvania, Indiana, and other places in the country? Let our farmers have a share in the market and lessen the price to the Washington consumer? Are you going to give them this whitewash out here to drink or are you going to give them some real milk and cream at a fair price? Why not end the "hold-up" of the milk drinker?

Mr. SCHULTE. I may say to the gentleman from Michigan that I am very much concerned about the situation myself. We have asked the aid of the Federal Trade Commission to help us to break down the most vicious wall that exists any place in the United States. I do hope that when we come back next year we may be able to do that.

Mr. HOFFMAN. Are you working a closed shop on the cows? [Laughter.] Can only Maryland and Virginia cows give milk fit for Washington citizens, or is the purpose to give dairymen of those States a monopoly of the milk market? The latter seems to be the case.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in regard to the dedi-

cation of the Federal building at Indianapolis, Ind., on Saturday, and include a brief address by myself and one by the Fourth Assistant Postmaster General, Mr. Purdum.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GOVERNMENT SPENDING

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, we are going to bring in here another deficiency appropriation bill. It seems to me that every Member should be kept on the floor of the House during the consideration of this bill. When you look at the Treasury statement of the 18th you find that we have gone in the red $733,474,669 since the 1st of July, and have gone in the red over $25,000,000,000 since this administration came in, March 3, 1933. Now the Appropriations Committee is bringing in here a bill with a lot of things in it that are not worth a tinker's whoop, and we ought to keep them out. The only way we are going to do that, if you want to go back to your constituents and tell them you are for economy, is for you to vote out about half the things they have in this appropriation bill. It is time that you cut them out. If you do not, it will not be far in the future until this Nation breaks down financially. You are blaming all these expenditures now on war. It seems to me it is time that we get busy here and stop these ruthless, unnecessary expenditures. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short article by ex-Senator Robert L. Owen.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I have two requests. First, I ask unanimous consent to extend my own remarks in the RECORD.

Mr. SABATH. I object, Mr. Speaker.

The SPEAKER. The gentleman from Montana has asked unanimous consent to extend his own remarks in the RECORD.

Mr. SABATH. If they are his own remarks, I do not object.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. THORKELSON. Mr. Speaker, my second request is to extend my own remarks in the RECORD and include therein excerpts from the press.

Mr. SABATH. I object to that, Mr. Speaker.

PERMISSION TO ADDRESS THE HOUSE

Mr. POWERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. POWERS. Mr. Speaker, there are rumors that the House may adjourn this week or next week. I merely want to take this minute that has been allotted to me to say to the Members that if the emergency is as emergent as we are led to believe, it is the duty of every Member to remain in Washington and the duty of Congress to remain in session. No one is more anxious to get back to his district or to get back to his family than I am, but I believe that now is not the time to talk about adjournment. You recall that in June when adjournment was first discussed the President said, "Congress will do nothing but talk if they remain in session." I should like you and the country to look over the program the President has sent us since June and which we in the Congress have so expeditiously and carefully legislated. That program constitutes the backbone of this Nation's emergent national-defense efforts. Our national-defense system has not yet been totally perfected, and the emergency which existed in June is just as great today. I sincerely hope, no matter what our personal wishes may be, that we vote against adjournment and remain here on the job. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short article by my colleague, the gentleman from Ohio [Mr. JONES].

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein two editorials from the Oregon Journal.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

WILLIAM B. BANKHEAD

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to proceed for one moment.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, a third of a hundred years is a long, long time, but lacking two of it in years, "BILL" BANKHEAD and I were friends.

Since I first met him in 1909, long, long ago, as man measures time, but so short when one is confronted by an eternity of absence, we have been friends. So short a time it seems now, looking back and looking to the future, as to make almost incomprehensible to me, with my finite limitations and circumspection, the power and wisdom of an infinite God, as evidenced in the premises. Why he had to go, I do not undertake to know, or attempt to understand.

My friend, as I knew him, was an ardent and a pugnacious partisan—but, above all, just and fair. Yet, after all is said and done, I am reminded that so immaterial are our human disagreements; so trivial are they, when Death looks in at the door, and one of us is called.

Over the years in our friendly disagreements with regard to policies and partisan politics and programs, I know we gave each other credit for sincerity of purpose, and a desire to obtain the greatest good for the largest number; though each thought and believed the other mistaken with respect to the methods and means to be employed to obtain the ends sought so divergently.

It takes a "big man," in the language of the street, to recognize that intense partisanship for what one considers to be right is the only mark which compels recognition by a would-be worthy opponent. Such a man was WILLIAM B. BANKHEAD.

Men more able than I will pay tribute to his great and enduring service to his party, to his State, to his district, and to the Nation; and in all they may say I most sincerely and heartily concur. WILLIAM B. BANKHEAD was bigger than any party, and because of what he accomplished, and by reason of his innate ability and sturdy strength of character, he will be included, by those who write history coldbloodedly, among the really small group of truly great men who have presided over this body as Speaker of the House of Representatives.

Hail and farewell, my friend. Here's my hand—with my heart in it. I know full well you are the last who would wish me to indulge in an effusive eulogy.

To have known you; to have enjoyed your confidence; to have indulged in your friendship over the years, is an intangible something the value of which is incommensurate and immeasurable, something to be treasured so long as I shall live and left to my children as a priceless heritage.

And, friend of mine, I shall remember you always as the fair fighter for what you believed to be right; as the just judge and impartial presiding officer who knew the precedents and followed the law; as the scholar, who seldom made any exhibition of your profound learning based on hours of study; and last, best, and most intimately of all, as a dreamer—as one who felt, as so well I know, that had fate and circumstance and environment not intruded, possibly a boyhood ambition might have been realized, who knows?—but always a a dreamer, for—

He whom a dream hath possessed knoweth no more of sorrow,
At death and the dropping of leaves and the fading of suns he smiles,
For a dream remembers no past and takes no thought of a morrow,
And strong in a sea of doom a dream sets the ultimate isles.
He whom a dream hath possessed treads the impalpable marches,
From the dust of the day's long road he leaps to a laughing star,
And the ruin of worlds that fall he views from eternal arches,
And rides God's battlefield in a flashing and golden car.

In the years to come I will find myself oft repeating, and over and over again, as I recall you and the years and the days and the place where you sleep.

Warm summer sun
Shine kindly here.
Warm southern wind
Blow softly here.
Green sod above
Lie light, lie light.
Good night, dear heart,
Good night, good night.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to place in the Appendix of the RECORD a letter from the Civil Service Commission on the question of whether employees of State soldiers' homes are subject to the Hatch Act or not.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to place in the RECORD a story of the life of our late Speaker, as told by himself to Mr. William H. Hendrix, and published in the September number of a magazine a few days before his death?

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

TRANSFER OF MILITARY AND NAVAL EQUIPMENT

Mr. BLOOM. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the resolution (H. Res. 599) and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 599

Resolved, That the President of the United States, if not incompatible with the public interest, is requested to inform the House of Representatives whether in the negotiations of the arrangement between himself and the Secretary of State, representing the Government of the United States, and the British Ambassador at Washington, representing His Majesty's Government in the United Kingdom, for the acquisition by the United States of naval bases in the Western Hemisphere and the exchange therefor of certain vessels of the United States, said arrangement contemplated further delivery to Great Britain of additional naval and military equipment and material as would appear from the letter of the British Ambassador to the Secretary of State, dated September 2, 1940, wherein it is stated that certain islands in the Caribbean and in British Guiana will be leased to the United States by the British Government "in exchange for naval and military equipment and material which the United States Government will transfer to His Majesty's Government," and whether the reply of the Secretary of State to said letter of the British Ambassador that "the United States Government will immediately transfer to His Majesty's Government 50 United States naval destroyers" meant that additional naval and military equipment and material would follow.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the letter of the Secretary of State may be read.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I shall not object because the Secretary of State gives the information for which I asked in my resolution, but unless the information is sent to the Congress in the democratic way, the American way, before these measures are taken by the President, it creates a very bad impression with the country, and I have numerous requests that we be consulted before any such action is taken. Many persons ask me if the President is giving up even the semblance of doing things in the American way. Americans appreciate their form of government, they are intensely loyal, they love their country, they demand that America be kept free and safe.

There being no objection, the Clerk read the letter, as follows:

DEPARTMENT OF STATE,
Washington, September 19, 1940.

The Honorable SOL BLOOM,
Chairman, Committee on Foreign Affairs, House of Representatives.

MY DEAR MR. BLOOM: I have received your letter of September 13, 1940, requesting a report on H. Res. 599, "Requesting information from the President of the United States concerning transfer of military and naval equipment to Great Britain." The resolution proposes that the President be requested to inform the House of Representatives whether the recent agreement for the acquisition by the United States of naval bases in the Western Hemisphere contemplated further delivery to Great Britain of additional naval and military equipment other than the 50 naval destroyers mentioned in my note of September 2.

The answer to the inquiry in the resolution is "No."

It is not believed, therefore, that the adoption of the resolution would serve any useful purpose.

Sincerely yours,

CORDELL HULL.

Mr. BLOOM. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and the legislative business of the day and any previous special orders, the gentleman from Massachusetts [Mr. GIFFORD] may be granted permission to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSFER OF MILITARY AND NAVAL EQUIPMENT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the House has just heard the letter from the Secretary of State answering the question in my resolution as to whether more equipment or more patrol boats would be transferred to Great Britain in exchange for bases in certain islands. Mr. Speaker, I maintain, as do thousands of others, including England herself, that the reason Great Britain has made such an amazing stand against Nazi invasion, or against Hitler, is because her civilian population and her army and navy were informed by Winston Churchill as to what they might expect. Mr. Speaker, I maintain that the people of the United States and the Congress in particular, should be informed as to what the President plans to do which may involve us in future wars and, certainly, what he plans to do for the protection of our country. At Fort Devens, an army post in my district, I saw thousands of persons on Sunday

afternoon, and talked with many of them, and there was not a person there who did not think we should be kept completely informed, and that in order to safeguard the United States and watch our national-defense program and to make our Nation strong we should remain in continuous session.

Mr. Speaker, on May 10, 1940, at the beginning of the German drive, I introduced House Concurrent Resolution 63, calling upon Congress to remain in continuous session in order to be in readiness to meet any eventuality that may arise that would require the exercise of its authority as representatives of the people.

Mr. Speaker, the international situation today is far more grave than when I introduced this resolution. I maintain the need for Members of Congress to stay on the job is more vital now than then. Following the introduction of my resolution, many editorials were written of the importance of keeping Congress in session, and hundreds of letters have been received from persons who are fearful of the Nation's safety if we do not remain at our work and do everything in our power to keep America out of the terrible conflict. The people at home will ask many embarrassing questions of those who vote to adjourn. The country demands we remain in session. I am just as anxious to return to my especially fine district, to be among my splendid constituents as anyone here, but we have a solemn obligation to perform. We have the greatest Nation in the world. In order to keep it great we must be prepared.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include quotations from the press.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT OF CONGRESS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARLSON. Mr. Speaker, rumors are current that Congress is going to adjourn in the very near future. It seems to me this would be most unfortunate. It is true that much of our national-defense legislation has been enacted into law and that the remainder is well on the way, but it is also true that the crisis which has kept Congress in session during the summer is as real today as ever.

Personally, I would like to return to my own congressional district, but I feel it my duty to urge and insist that we remain on the job. The actual emergency is little clearer today than it was 6 months ago. Our problem will take shape when present conditions change or crystallize in Europe. The changed conditions should require the united study and cooperation of the Executive and Congress.

The legislative branch of our Government should remain in continuous session. It is and should be a stabilizing influence in our international affairs. Let us not adjourn. [Applause.]

[Here the gavel fell.]

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER. This is District of Columbia day. The gentleman from West Virginia [Mr. RANDOLPH] is recognized.

AMENDMENT TO UNEMPLOYMENT COMPENSATION ACT

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 10322), to amend further the District of Columbia Unemployment Compensation Act, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, be, and is hereby, further amended, as follows:

Substitute the following paragraph (4) for the present paragraph (4) of section 1 (b):

"(4) service performed in the employ of the United States Government or of an instrumentality of the United States which is (A) wholly owned by the United States or (B) exempt from the tax imposed by section 1600 of the Internal Revenue Code of the United States by virtue of any other provision of law: *Provided*, That in the event that the Congress of the United States, on or before the date of the enactment of this act, has permitted, or in the event that the Congress of the United States shall permit States to require any instrumentalities of the United States (except such as are (A) wholly owned by the United States, or (B) exempt from the tax imposed by section 1600 of the Internal Revenue Code by virtue of any other provision of law), to make contributions to an unemployment fund under a State unemployment compensation law, then, to the extent so permitted by Congress, and from and after the date as of which such permission becomes effective, or January 1, 1940, whichever is the later, all of the provisions of this act shall be applicable to such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employees, individuals, and services: *Provided further*, That if the District of Columbia should not be certified by the Social Security Board under section 1603 of the Internal Revenue Code for any year, the payments required of any instrumentality of the United States or its employees with respect to such year shall be refunded by the District Unemployment Compensation Board in accordance with the provisions of section 4 (f) of this act."

SEC. 2. This act shall be effective as of January 1, 1940: *Provided, however*, That any employer required to make retroactive payment of any contributions shall be given 30 days from the enactment of this act within which to make such retroactive payments without incurring any penalty for the late payment of such contributions and all interest charges shall commence 1 month from the date of the enactment of this act.

Mr. RANDOLPH. Mr. Speaker, I ask for recognition.

Mr. Speaker, this measure proposes to correct a condition that exists in the District of Columbia with respect to national banks. The national banks find themselves in the position of being forced to pay into the Federal Treasury the 3-percent tax just the same as other employers in the District of Columbia and throughout the Nation, but the employees of those national banks in the District of Columbia receive no benefits. The proposed amendment would extend to the employees of the national banks doing business in the District of Columbia the protection of unemployment compensation which at present is denied them, although the tax is actually being paid by them.

This measure has the approval of the District Unemployment Compensation Board, the Commissioners of the District of Columbia, and has been favorably reported from the Committee on the District of Columbia with approval by all members, both Republican and Democratic.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VETERANS' HOSPITAL FACILITY, MEMPHIS, TENN.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9989) authorizing the Administrator of Veterans' Affairs to transfer certain land to the city of Memphis, Tenn., for street-widening purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, will the gentleman explain what the bill provides?

Mr. LANHAM. This bill, introduced by the distinguished gentleman from Tennessee [Mr. DAVIS], provides that the Federal Government will grant an easement for street-widening purposes on a small strip of land in Memphis, Tenn., adjoining the veterans' hospital facility. It involves no expense whatever to the Government. The improvement is to be made entirely at the expense of the city of Memphis.

Colonel Ijams, of the Veterans' Administration, appeared before the committee and recommended the passage of the measure and said that it would in no way interfere with the

operation of the veterans' facility, but would very greatly facilitate traffic conditions in that section.

Mr. MICHENER. The report is a unanimous report from the gentleman's committee?

Mr. LANHAM. It is a unanimous report.

Mr. MICHENER. And the gentleman understands that the minority members understand the gentleman is calling the matter up today?

Mr. LANHAM. They may not understand that I am calling it up today, but the committee authorized placing it on the Consent Calendar, and inasmuch as it is uncertain when that calendar will be called, I am asking for its consideration now.

Mr. MICHENER. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to transfer by quitclaim deed to the city of Memphis, Tenn., for street-widening purposes, a strip of land along the western boundary of the Veterans' Administration facility in such city, described as follows:

Part of the homestead lot and the north part of lot 50 of the Barnett Graham subdivision, beginning at the point in the south property line of Lamar Avenue, ten feet east of the east property line of Dudley Street, running thence south and parallel to the proposed new center line of Dudley Street, as widened, a distance of six hundred and twenty-two and one-tenth feet; thence continuing southwardly a distance of one hundred and fifty-one and one-tenth feet to a point, which said point is seven and two-tenths feet east of the old east property line of Dudley Street; thence west a distance of seven and two-tenths feet to a point in the old east property line of Dudley Street; thence north with the old east property line of Dudley Street, a distance of seven hundred and seventy-three and one-tenth feet to a point in the south property line of Lamar Avenue; thence east with the south property line of Lamar Avenue a distance of ten feet to the point of beginning, containing an area of approximately eight thousand three hundred and fifty-three square feet, and being all of that property lying within the described limits twenty-eight and five-tenths feet east of the new centerline of Dudley Street.

SEC. 2. Such grant shall be conditioned upon the agreement by the city of Memphis to set back and restore as nearly as possible to their original condition the fence and gate bordering such land, at no expense to the United States. If such land shall ever cease to be used for street purposes, title thereto shall revert to the United States.

With the following Committee amendments:

Page 1, line 4, strike out "transfer by quitclaim deed" and insert "grant and easement";

Page 2, line 21, strike out section 2 and insert:

"SEC. 2. Such grant shall be conditioned upon the approval by the proper authorities of the city of Memphis of an agreement to (a) construct a concrete wall with stone coping along the facility limits on Dudley Street in accordance with specifications to be furnished by the Administrator of Veterans' Affairs so as to provide a wall identical with the one now existing along the Lamar Boulevard, (b) move the existing chain link fence and gates, and place the fence on top of the wall, (c) move and replant such trees and shrubs as have to be removed from their present locations, replace such trees as will not stand moving and replace any such trees and shrubs that do not survive, and (d) restore all areas within the reservation affected by this work as nearly as possible to their original condition including any necessary sodding; all without expense to the United States. The easement authorized by this act shall contain the express reservation that should the land cease to be used for street-widening purposes then all right, title, and interest therein shall immediately revert to and revest in the United States."

The committee amendments were agreed to.

Mr. LANHAM. Mr. Speaker, I offer an amendment, which is simply a correcting amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Amend the title by striking out the word "transfer" in the first line and insert in lieu thereof "grant an easement in."

Page 1, line 6, after the word "proposes", and the comma, insert the word "in."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill authorizing the Administrator of Veterans' Affairs to grant an easement in certain land to the city of Memphis, Tenn., for street-widening purposes."

BRIDGE ACROSS MISSISSIPPI RIVER NEAR MEMPHIS, TENN.

Mr. KELLY. Mr. Speaker, I call up the conference report on the bill (S. 3929) to extend the time for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3929) entitled "An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.," having met, after full and free conference, having agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and the House agree thereto.

That both Houses agree to the bill in the form as originally passed by the Senate.

EDWARD A. KELLY,
PEHR G. HOLMES,
Managers on the part of the House.

MORRIS SHEPPARD,
CHAS. L. MCNARY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3929) entitled "An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The bill, as it passed the Senate, simply provided in regular form for an extension of the times for the commencing and completing of the construction of a bridge across the Mississippi River at or near Memphis, Tenn. The House amended the bill by adding a new section which amended the original authorization act for the construction of the bridge to specifically provide for the eventual operation and maintenance of the bridge free of tolls.

The conference committee agreed that the inclusion of this new provision was unnecessary in this instance and recommend that the bill as passed by the Senate be now agreed to by both Houses.

EDWARD A. KELLY,
PEHR G. HOLMES,
Managers on the part of the House.

Mr. KELLY. Mr. Speaker, this authorizes an extension of time on the original authorization act of 1939. It is granting an extension of time, with the consent of Congress, to the bridge authority of those States.

Mr. MICHENER. Does the conference report abide by the House decision or the Senate decision?

Mr. KELLY. By the Senate decision.

Mr. MICHENER. And the members of the House committee are agreeable?

Mr. KELLY. The members of the conferees of the House are agreeable.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

FIRST SUPPLEMENTAL CIVIL FUNCTIONS APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes; and, pending that, I ask unanimous consent that general debate proceed for 2½ hours.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10539, the first supplemental civil functions appropriation bill, 1941; and, pending that, asks unanimous consent that general debate may proceed for 2½ hours. Is there objection?

Mr. TABER. Mr. Speaker, reserving the right to object, I think the gentleman should ask for more time.

Mr. WOODRUM of Virginia. Does the gentleman have a lot of requests for time? I do not have many requests for time.

Mr. TABER. I have a large number of requests. We shall do well to keep within an hour and a half.

Mr. WOODRUM of Virginia. Mr. Speaker, I modify my request and ask unanimous consent that debate be limited to 3 hours, the time to be equally divided.

I may couple with this request the statement that I do not think I will use all my time, so that nobody will be under any misapprehension.

Mr. MICHENER. Mr. Speaker, reserving the right to object, is it the purpose to complete this bill today?

Mr. WOODRUM of Virginia. The bill, of course, cannot be completed today if anyone raises a point of order. There are some items in the bill that would require a rule to make them in order. I spoke to the gentleman from New York, and it was my understanding that he would have no objection to considering a rule which the Rules Committee might report out, without requiring the rule to lay over for 24 hours.

Mr. MICHENER. The Rules Committee has called a meeting for 1 o'clock. Assuming that the Rules Committee should report out a rule with reference to points of order on the bill, would it be the purpose then to have debate on the rule today?

Mr. WOODRUM of Virginia. If we can get unanimous consent for that purpose, yes; but I would not attempt to do it if we could not.

Mr. MICHENER. It would not require unanimous consent; it could be done by two-thirds vote.

Mr. WOODRUM of Virginia. I would not ask for that.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10539, the first supplemental civil functions appropriation bill, 1941, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from Virginia is recognized for 10 minutes.

Mr. WOODRUM of Virginia. Mr. Chairman, the bill and the report are available. I do not care to take a lot of the time of the committee.

The total amount of direct appropriations in the bill is $207,475,727.02. The amount of the contract authorizations is $60,258,001. The bill is $4,394,144.93 less than the Budget estimates of direct appropriations and $5,050,000 less than the requests for contract authorizations.

Mr. REED of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM of Virginia. I yield.

Mr. REED of New York. What is the total of the bill?

Mr. WOODRUM of Virginia. I just got through stating that. The total amount of the bill, direct appropriations, is $207,475,727.02.

Mr. REED of New York. I thank the gentleman very much.

Mr. WOODRUM of Virginia. This is one of the smaller bills that comes along in the concluding days of a session.

You will find set out on pages 2 and 3 of the report a very clear picture of what is involved in the bill.

Of the total amount carried in the bill, the sum of $153,855,660 is in items for civil agencies directly related to the national-defense program. They are national-defense items, but not directly appropriated to the Army and the Navy or the Marine Corps. The amount of $40,232,100 is due to new laws and $12,791,140.07 is due to changed conditions. There are several matters in the bill that might be mentioned briefly. I do not want to take a lot of time unless some member of the committee is especially interested in a particular item.

We had a Budget estimate of $500,000 for the Civil Service Commission for the enforcement of the Hatch Act. At the time the Civil Service Commission appeared before the committee they had only six complaints worthy of consideration. No one, of course, could tell what the future would bring forth, but there seemed to be no reason at this time for appropriating half a million dollars to set up a new division of 155 new employees. So we gave them $100,000, which the committee felt would be amply sufficient to take them through until Congress should meet in January, or before that time, possibly.

Some change was made in the appropriation for the Civilian Conservation Corps, not in the size of the corps or the amount of money appropriated for its maintenance, but some change in the division or allocation of funds which the director of the corps stated was necessary in order to permit them to operate on the funds which Congress has already appropriated. This matter is fully set out and explained on pages 5 and 6 of the report.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. LEWIS of Colorado. The suggestion has been made, in view of the heavy expenses being incurred by the Government for national defense and of the fact that perhaps some of these men who are drawn in the draft will be assigned to nonmilitary operations, that possibly the Civilian Conservation Corps should not be continued in its present form, but that certain of the operations they carry on might be continued by those drawn in the draft who are not available for military service either because they are conscientious objectors or otherwise. Perhaps here is a chance to save some money for the Treasury. Has that been brought before the committee?

Mr. WOODRUM of Virginia. Our committee did not consider anything of that kind. I cannot conceive of such a suggestion receiving serious consideration. The functions of the Civilian Conservation Corps was primarily to take care of the unemployed youth coming from needy families and to give them employment in useful conservation projects. The purpose of the Conscription Act is to take men and train them to be soldiers.

Mr. LEWIS of Colorado. Under the compulsory selective-training service bill that we passed some of those drawn will not be required to have military training and service on the ground that they have conscientious objections.

Mr. WOODRUM of Virginia. I may say there are many places in the Army where men can perform military duty and service that is not combatant in its nature. As I understand it, that is where the conscientious objectors will be placed, those who have conscientious objections to combatant military service. I cannot conceive of mixing up the functions of the Civilian Conservation Corps and the conscriptees, because one is for the purpose of affording employment and the other is to train an army to be called upon in an emergency as a reserve to supplement and add to our Regular Army.

Mr. LEWIS of Colorado. The presence of these men in the C. C. C. will not exempt them from conscription?

Mr. WOODRUM of Virginia. Not at all. Of course, the physical and mental training that they get in the C. C. C. makes them splendidly equipped to answer military duty if they are called upon to do so.

Mr. LEWIS of Colorado. I thank the gentleman.

Mr. WOODRUM of Virginia. An appropriation is carried in this bill which I think will meet with a good deal of interest. There is the sum of $30,000,000 direct appropriation and $50,000,000 contractual authorizations for development, construction, improvement, and repair of airports and other

landing areas. With the large expansion of air forces in the Army, Navy, Marine Corps, and Coast Guard, to say nothing of the advance of civil aviation, it becomes increasingly evident that we do not have airport facilities in this country sufficient to take care of the situation. There are only 38 civil landing fields in America where you can land every type of Army or Navy planes. So Congress is making provision to start a program here that will provide for the development of local civil airports.

Mr. GIFFORD. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The title to those airports to remain with the community?

Mr. WOODRUM of Virginia. It will remain with the community. The authorization provides that no land shall be purchased nor buildings erected except where the Secretary of War or the Secretary of the Navy certifies that it is absolutely necessary for defense purposes.

That is to meet this situation: There might be an area far removed from a community or a city where the Army or Navy would want an emergency landing field and they would have to go there, buy the land and build it, but ordinarily they will go into a community, take the civil airport and build the needed facilities, such as runways, and so forth.

Mr. GIFFORD. The city profits by that full amount. The Government gets nothing?

Mr. WOODRUM of Virginia. The Government gets a place to set down its planes, which is very important.

Mr. VAN ZANDT. Do I understand that an interdepartmental committee, from the Army, Navy, and Civil Aeronautics Authority, will administer this money?

Mr. WOODRUM of Virginia. They will recommend the selections.

Mr. VORYS of Ohio. Will this expansion take care of the training of the civilian pilots and the military needs, or does the gentleman know?

Mr. WOODRUM of Virginia. These are civil airports, and most of the civilian pilot training is done in civil airports, so it will make those fields available for that purpose.

Mr. VORYS of Ohio. In many places the airports are not large enough to house high-speed military planes; at the same time they could be made available for pilot training which ordinarily ought not to go on where there are a lot of military or commercial operations. Was there any discussion about taking care of such needs?

Mr. WOODRUM of Virginia. The purpose is to expand the civil airport facilities. Most of the civilian training is done at civil airports, not at Army or Navy airports. So it makes those fields available for civilian aviation training.

Mr. O'CONNOR. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. As I understand, the cost of improving these airports is borne entirely by the Federal Government?

Mr. WOODRUM of Virginia. There is no set rule in the law about that. The Department stated where they could get help from a community, they would expect the community to furnish the land and whatever help the community could give besides that.

Mr. O'CONNOR. Suppose the Army desires to develop a place where we already have a civil airport to be used by the Government, then what is the procedure?

Mr. WOODRUM of Virginia. The Government will do that.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. O'CONNOR. May I ask another question? I have not had an opportunity to study the hearings, but would the gentleman indicate to me whether the development of any airports is contemplated in the western territory?

Mr. WOODRUM of Virginia. There is an extensive program, as the gentleman will find in the hearings, all over continental United States for the development of civil airports to make them available.

Mr. O'CONNOR. In the Middle West and far West?

Mr. WOODRUM of Virginia. Yes.

Mr. COCHRAN. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Missouri.

Mr. COCHRAN. I am very much interested in what the gentleman states, because a delegation headed by the mayor of my city, St. Louis, will come here tomorrow to discuss this very question.

They have enlarged the National Guard aviation branch and they have also enlarged the Naval Reserve aviation branch in St. Louis. St. Louis gave the Naval Reserves 14 acres of ground adjoining the airport a few weeks ago. A private plant is going to be greatly enlarged, adjoining the airport. Will this money be allocated by the Civil Aeronautics Authority?

Mr. WOODRUM of Virginia. It will not be allocated, it will be used on projects which have been selected by an interdepartmental committee from the Army, the Navy, and the Civil Aeronautics Authority.

Mr. COCHRAN. The three of them will agree?

Mr. WOODRUM of Virginia. That is right.

Mr. COCHRAN. The Works Progress Administration will not enter into this at all?

Mr. WOODRUM of Virginia. It has nothing to do with this program.

Mr. COCHRAN. It is not going to be done by W. P. A. labor?

Mr. WOODRUM of Virginia. It may be, but not necessarily.

Mr. COCHRAN. How about the Public Works Agency? Is that going to enter into it at all?

Mr. WOODRUM of Virginia. It may, but not necessarily.

Mr. COCHRAN. But they have the power to bring them in if they can use their facilities?

Mr. WOODRUM of Virginia. That is right.

Mr. COCHRAN. I thank the gentleman.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I wanted to pursue that thought because I want the gentleman's help a little later. A great many localities are after this "gravy", and that is what it is, of course. Having in mind certain properties now already owned by the Government, they seem unable to get the Government even to consider them. This is a great opportunity for landing fields located in places where they should not be placed, perhaps, for defensive purposes, to come in on that program. I hope the gentleman will watch that situation; and I know he will. If I may give him some information on that point, I shall be glad to help him.

Mr. WOODRUM of Virginia. I shall be glad to have that information.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I believe the gentleman has made it clear to all of us that this program is in addition to the work which has been carried on throughout the past few years under the Work Projects Administration, under which the local communities, in cooperation with the Federal Government, have built and improved airports. Is it not a fact that this item is specifically asked for at this time due to the real need, the pressing need, for airports that will fit into the national-defense picture of this country? Is it not further the fact that there should be no so-called "gravy" but that we should keep a close check, and certainly ask the departments of Government to go forward with the one end in view of strengthening our airport system for national defense?

Mr. WOODRUM of Virginia. I think that is right. May I say that, speaking of it as "gravy", Congress has approved a

program of tremendous airplane expansion in the armed services—the Army, the Navy, and the Marine Corps—reaching up to 35,000 planes in the air. Even with the limited number of planes we have today, if any emergency should happen which would require a mobilization of the General Headquarters air force on the Atlantic seaboard, there would be no place to set those planes down, using all the civil airports we now have available.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. Referring to this "gravy" business, there is no such thing as "gravy" in the national-defense program about which we are speaking.

Mr. WOODRUM of Virginia. I do not feel that there is, I believe that it is a very pressing necessity.

Mr. O'CONNOR. I call the gentleman's attention to this matter, and I expect to try to enlist the gentleman's services later. We have very fine airports at Livingston, Billings, Great Falls, Lewistown, and other cities in Montana, and Sheridan in Wyoming, where extensive use is made of airplanes crossing that long stretch of country from the Middle West to the coast. I hope that if the gentleman has anything to say about the location of these various Government ports he will bear in mind the locations of which I am speaking. If war should occur either from Europe or Asia, there would be a tremendous movement of planes across the region I mention and there would be dire need of Government airports at these points.

Mr. WOODRUM of Virginia. I shall be very glad to bear that in mind, I will say to the gentleman.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that many of the smaller airports in the United States today have only 2,500- or 3,000-foot runways?

Mr. WOODRUM of Virginia. That is right.

Mr. VAN ZANDT. The large, modern bombers we are constructing take at least 5,000-foot runways in order to make a safe landing or take-off.

Mr. WOODRUM of Virginia. The gentleman is quite correct.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. MICHENER. I believe we all recognize that there would be no justification for the expenditure of money to establish airports throughout the country at this particular time——

Mr. WOODRUM of Virginia. May I correct the gentleman? It is not to establish airports but to enlarge and expand existing airports.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MICHENER. Yes; to enlarge or expand existing airports, unless it was a matter of national defense. Are there any limitations or requirements in the bill as to the regulation, the lighting, and the providing of a field so that it may be used as a field for national defense?

Mr. WOODRUM of Virginia. Yes; funds are also carried for that part of the facilities.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Georgia.

Mr. PACE. I have two questions I wish to ask the gentleman. The gentleman used the words "enlarging and expanding existing fields." Do I correctly understand that this money is to be confined to a present site, where there is presently a small field that cannot be enlarged? Is it possible in connection with this fund to abandon such a field and choose a new site and build an entirely new field?

Mr. WOODRUM of Virginia. I think there would be that authority, but the primary purpose of it was to enlarge or expand existing airports where the Secretary of War and the Secretary of the Navy certify that a field at a certain spot is necessary for national defense. I believe you might buy the land and establish an airport there.

Mr. PACE. The second question is, I should like to differentiate this fund, if there is any difference, from the $25,000,000 fund that was carried in the appropriation bill passed the early part of this year. In that bill W. P. A. funds were to be used where the Army and the Navy certify that a defense feature was involved in the W. P. A. project. Some of this $25,000,000 has been used for airports. Is this money going to supplement that fund, or is that fund going to join this one, or are they going to continue as two separate funds?

Mr. WOODRUM of Virginia. I understand the $25,000,000 has been allocated.

Mr. PACE. It has been exhausted?

Mr. WOODRUM of Virginia. It has been exhausted. It has possibly not all been spent, but all of it has been allocated. The $25,000,000 fund, as the gentleman knows, was administered through the W. P. A., after having been certified by the Army and the Navy. This fund does not have any connection whatsoever with the W. P. A., although there is nothing to prevent them from using relief labor on a project where it is possible to do so, but it is not tied up to the relief program in any way.

Mr. RANDOLPH. If the gentleman will yield for a further observation, I do feel that under the Work Projects Administration priority should continue to be given to the construction of airports because we do know that eventually all of these airports, even the ones in the smaller communities, will have a definite place in our aviation development and will fit into the national-defense picture.

Mr. WOODRUM of Virginia. I feel sure that is the case.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. I am asking this question for information. Do I understand that if the Secretary of Commerce determines that an improvement or addition to an airport is necessary for national defense and for the training of air pilots, including areas essential for safe approaches and so forth, he will recommend improvement of those airports without any requirement of contributions from the community?

Mr. WOODRUM of Virginia. He may do so, but it is not just the Secretary of Commerce. It is an interdepartmental committee composed of representatives of the Department of Commerce, the Army, the Navy, and the Civil Aeronautics Administrator.

Mr. McLAUGHLIN. I am glad to have that information, and if that committee makes the determination as I have indicated, it will not call for contribution from the community, but the committee will recommend the allotment of the money necessary to do the work.

Mr. WOODRUM of Virginia. It may construct the whole program, or it may negotiate for such assistance as the community may be able to give.

Mr. McLAUGHLIN. I thank the gentleman very much, and one further question, if the gentleman will pardon me. If the airport has been recognized as being of importance in the national-defense program and an allotment of funds has been made to it under a W. P. A. program, that fact does not in any way prejudice that airport from receiving additional funds under this program if it is determined that it is proper that it should receive them?

Mr. WOODRUM of Virginia. That is my understanding of it, I will say to the gentleman.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Wisconsin.

Mr. JOHNS. Is there any provision in this appropriation here for markets for air fields?

Mr. WOODRUM of Virginia. Yes; there is a fund carried in the bill for lighting and for other facilities that go with airports.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 more minutes.

The sum of $2,091,000 is carried for corresponding facilities for airports.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. PLUMLEY. I would like to submit this interrogation with respect to the fields in New England, because I am going to be asked concerning them, as I have already been asked with respect to this proposed legislation. Are these extensions of fields going to be allocated on the basis of political strategy or on military necessity and strategy? [Laughter.] Are those fields heretofore somewhat developed to expect nothing or may they expect something? I mean—you know what I mean [laughter], I will leave that to the gentleman.

Mr. WOODRUM of Virginia. I may say to the gentleman, without getting into the academic question of the fine, clear-cut distinction between what might be considered a political necessity and a military necessity, certainly we would expect that these funds would be used entirely for defense purposes, and I have no doubt but what that will be the case.

Mr. PLUMLEY. Seriously, and to bring it right down to my own State, we have the Burlington Airport, 20 miles from the Canadian border, and we have the Barre Montpelier Airport, 65 miles from the Canadian border, and we have others which I shall not undertake to enumerate, such as the Swanton Airport, and they are concerned to know whether under this large appropriation any consideration will be shown with respect to their necessities for expansion.

Mr. WOODRUM of Virginia. I feel sure that very grave consideration will be given to them, I will say to the gentleman.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Wyoming.

Mr. HORTON. The gentleman has indicated that the W. P. A. will not necessarily do the construction work. Does that also mean that a private construction company would have an opportunity to bid and get a contract?

Mr. WOODRUM of Virginia. Exactly so; we did not want to tie their hands with the W. P. A. program, because there might be localities where W. P. A. would not be available.

Mr. HORTON. Do I understand that this program has very largely been completed at the present time or is it in process of being completed?

Mr. WOODRUM of Virginia. None of this program has been completed.

Mr. HORTON. So it is all wide open.

Mr. WOODRUM of Virginia. Yes.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. COLE of Maryland. On the question of the Coast Guard, the gentleman will recall that I appeared before the committee in support of the items for Curtis Bay. I am very pleased to find that the committee has recommended the major part of the program, especially the floating drydock, building quarters for personnel, and other items listed in the hearings, but I note that the major reduction in the Budget estimate as found in the bill is $812,000, the item for shipbuilding ways at Curtis Bay.

I hope the gentleman will find it possible to make a statement that that item is temporarily laid aside.

Mr. WOODRUM of Virginia. The committee felt that very large sums are being expended all over the United States in the expansion of shipways and that perhaps it would not be necessary at the present time to go forward with these shipways at Curtis Bay, although the committee was very much impressed with the fine job which the Coast Guard had done at Curtis Bay. They have done a splendid job and have a wonderful plant up there. As you may know, some of us went to see it.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. COFFEE of Nebraska. Will the gentleman explain what is contemplated under the National Youth item, the sum of $30,000,000?

Mr. WOODRUM of Virginia. It is additional funds for the National Youth Administration, for work projects, where the youth can be put to work at skilled trades that may be useful to the defense program.

Mr. COFFEE of Nebraska. Is there any chance that this may set up a competitive system to our Office of Education?

Mr. WOODRUM of Virginia. No. I will say that we had the Director of the Office of Education, Dr. Studebaker, and Mr. Aubrey Williams both before the committee at the same time, and I think we have ironed out all of those difficulties and that there is now absolutely no conflict between the functions of the two agencies.

Mr. COFFEE of Nebraska. And there will be no overlapping whatever?

Mr. WOODRUM of Virginia. They have assured us there will be no overlapping whatever. I would be glad to have the gentleman refer to the hearings on that point.

Mr. ANGELL. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. ANGELL. In my district in Portland, Oreg., there is an airport partly finished. Under this bill, if it is found necessary in the interest of further development for military purposes, will it be possible to get an additional allotment from this fund?

Mr. WOODRUM of Virginia. Undoubtedly it will have proper consideration.

Mr. Chairman, I now reserve the balance of my time.

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, on August 27 I made a statement to the press. I desire to make the same statement now to this Committee. The Permanent Canadian-American Joint Board of Defense, recently decreed by President Roosevelt, is an alliance, and under the Constitution such an alliance must be submitted to the Senate in the form of a treaty for ratification.

The negotiations in relation to this proposal have been secret. Secret negotiations of this character are wholly abhorrent in a republic and wholly opposed to democratic processes.

It is said that the proposal is a defensive alliance. As Canada is not now in a position to defend the United States, this means, in substance, that we are to defend Canada; and as Canada is, as a British Dominion, now engaged in the European war, this obviously exposes us, to all intents and purposes, to all the chances of the present armed conflict as far as Great Britain's enemies may think it expedient to involve us.

This commitment, therefore, plainly nullifies the power of the Congress to declare war and is a flagrant circumvention of the Constitution in this respect.

If this commitment is not submitted to the Senate in the form of a treaty for ratification and stands unchallenged, then President Roosevelt has as much dictatorial power in the United States in relation to peace and war as Hitler and Mussolini have in Europe.

The immediate and imperative business of the people of the United States is not to put down dictatorship in Europe or Asia but to put down dictatorship here and now with a heavy hand.

This is not the first time that President Roosevelt has secretly negotiated an alliance with a foreign power.

A few days ago Winston Churchill, speaking in Parliament in relation to the proposed cooperation between the United States and Great Britain, stated:

> The principles of association of interests for common purposes between Great Britain and the United States had developed even before the war in the various agreements reached about certain small islands in the Pacific Ocean which have become important as air fueling points. In all this line of thought we found ourselves in very close harmony.

Mr. Churchill had reference to a joint agreement between the United States and Great Britain, secretly negotiated in

1938 and relating to joint control over strategically located islands in the Pacific Ocean. This agreement was never submitted to the Senate in the form of a treaty for ratification. Yet it committed the United States to joint action with Great Britain in the Pacific, just as the recent agreement in relation to Canada commits the United States to joint action with Canada, a British Dominion and a belligerent in the present war, in the Western Hemisphere.

If these alliances are allowed to stand without being submitted to the Senate for ratification by the representatives of the people, as provided by the Constitution, the lives, fortunes, and future of the American people are committed to war by one man, President Roosevelt, and the United States is under the heel of a brazen dictator. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I am going to address my remarks to a particular item in this bill.

Among the many millions of dollars that are here involved there is a small item of $20,000 for the Bureau of Mines. It is an item supplementing appropriations previously made to the Bureau of Mines for the purpose of further carrying on experimental work in a metal that is quite new to American industry. In 1917 it was selling for $3.50 per pound, and there was no domestic production. If the experimental work now going on at Washington State College proves that this new metal can be produced upon a commercial scale, it would almost revolutionize the metals industry, because it takes the place of aluminum. It alloys with aluminum and then supplements it. It is a superior metal to aluminum. This metal is known as metallic magnesium, and it is produced from magnesite ore.

We now have in the metals industry a metallic magnesium made by the Dow Chemical Co. from salt brine, up in the lake country, around Lake Michigan, and they are expanding that production by installing a $25,000,000 plant down in Texas. However, the metal that is produced from salt brine is produced under a patented process, and is a metal that of necessity has to sell for a sum so high that it is not in the competitive field with aluminum.

Aluminum is a monopolistic production metal. I am sure no one would attempt to gainsay that. The average Army or Navy plane requires 10,000 pounds, or 5 tons, of aluminum in its construction. If we can find any other metal that will serve the same purpose or that will supplement aluminum and that can be produced cheaper, naturally it will result in a tremendous saving to the Government.

Likewise, if this experiment, that we know has been carried to complete success in the laboratory, can be carried to success in the commercial field through pilot-plant production, then we can produce a new metal, new to American industry at least, to sell at about half the cost of aluminum. It will sell at about 10 cents a pound, whereas aluminum sells for 18 or 20 cents a pound.

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. LEAVY. I gladly yield to my able and distinguished colleague, who is always present on the House floor and ever alert to the interests of our State of Washington.

Mr. COFFEE of Washington. Does not the gentleman, who has performed such a signal and magnificent service for Grand Coulee in promoting its logical development and expansion, believe that every aid and encouragement be accorded by our Federal Government to the development of magnesium as a formidable factor in national defense? Is not magnesium a mineral of tremendous potentialities in connection with airplanes and related military and naval equipment?

Mr. LEAVY. Emphatically yes. I thank my eloquent colleague for his contribution.

Mr. SCRUGHAM. Will the gentleman yield?

Mr. LEAVY. I yield.

Mr. SCRUGHAM. Is the metallic magnesium made from magnesite, which you propose to do at the Pullman plant, equal to the metallic magnesium made from salt or magnesium chloride?

Mr. LEAVY. It is not only equal generally, but it is superior to it. The metal made from the magnesite ore is 99.9 plus pure.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. LEAVY. I yield.

Mr. VOORHIS of California. It seems to me the gentleman is making a statement of tremendous importance. I would like to compliment him upon the very important work he has been doing in this field. I would like to ask him whether he can tell us anything about the situation with regard to patents and patented processes in the preparation of magnesium for commercial and practical use today, and whether this effort that he is making has anything to do with the situation that pertains with regard to those patents?

Mr. LEAVY. Certainly the effort I am making ties in rather closely, I think, with the patents in the metals field. I do not know the number of patents and the variety of patents and their purpose held by the Aluminum Co. I do not know how extensive they are. The Dow Chemical Co. have their patents, and they use their processes exclusively. The Germans in 1938 developed a method of producing metallic magnesium from magnesite ore, and they kept their patents a secret. They are treated as a military secret. Hitler under this secret process produced in 1938, which is the last record we have of their production, 40,000 tons of metallic magnesium made from ore against our production of 3,800 tons of magnesium made from salt brine. The Geran planes today are constructed of magnesium alloyed with aluminum; and, plane for plane, they are substantially lighter for the same carrying capacity than either the American or British planes.

This preliminary survey work in metallic magnesium from magnesite ore at our State college has been carried on by the Bureau of Mines cooperating with the State College of Washington at Pullman, Wash., for the last 7 or 8 years. About 3½ years ago a representative of the Bureau of Mines, cooperating with representatives of the State school of mines, made the laboratory discovery that by the use of electricity they could take from the magnesite ore the metallic magnesium. This experiment has been done over and over time after time and is now a scientific fact. I wish to exhibit to the Committee a sample. The base of this exhibit which I hold in my hand is magnesite ore. There are more than 10,000,000 tons of it known to be in the immediate vicinity of the Grand Coulee Dam. The material inside this bulb is metallic magnesium produced from the magnesite ore at the State college laboratory. Metallic magnesium, as I said, weighs just two-thirds what aluminum does. It is of equal or greater tensile strength. With electric power at the rate at which it can be sold by the Government at Grand Coulee, there can be produced not thousands but millions of pounds of this wonderful metal at 10 cents a pound, and our airplanes could be constructed in part or in whole of this metal at much less cost and with much greater carrying capacity.

The discoverers of this metal have patented the process, and the patents are not going to be held exclusively, nor are they going to be kept from the trade, nor is there any thought in this appropriation to further this pilot plant work, that it will in any way interfere with the metal trade or private industry but, on the contrary, will encourage it, because there is no thought of the Government going into the production of this metal. There is the purpose, however, of not permitting anyone to monopolize these patents.

The laboratory experiments that we seek to prove in the commercial field through the Bureau of Mines and the State school of mines by the construction of a pilot plant that will turn out from 50 to 100 pounds of this metal a day is all that is needed now to prove the possibility of mass production. Any producing concern will have the right, if they are satisfied that this is a profitable undertaking, by paying a fixed royalty—and it will be fixed by the State College of Washington—anyone may use these patents and there will be no

opportunity of their being monopolized or anyone taking undue advantage of them or in any way exploiting them, as has been done with other metals too often.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield further?

Mr. LEAVY. I yield.

Mr. VOORHIS of California. Could the gentleman tell us what the present situation is with regard to patents in this and related metal fields? My understanding has been that there did exist today a substantial monopoly in these patented processes with regard to aluminum and magnesium. My question a few moments ago was directed to the possibility of, by the successful development of this patent, breaking the monopoly.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 5 additional minutes to the gentleman from Washington.

Mr. LEAVY. Answering the gentleman from California, I may say that I have not gone fully into that matter.

I have been informed and I have seen in the papers frequently the statement that there is a corporation here in this country known as the Magnesium Development Co., 50 percent of whose stock is held by some Swiss interests who succeeded to such stock through the German Dye Works or some German corporation, and 50 percent of this stock is held by American corporations. This corporation has patents by which they are doubtless reducing this ore into metal to the advantage and benefit of the Germans today.

The only place on the North American Continent where magnesite ore is found in large quantities is in the State of Washington in my congressional district. The important thing about this whole situation is that with this enormous expansion in airplane production it is highly essential that we should at least in part free ourselves from the grasp that the Aluminum Trust of America has upon American plane production. I am not charging here that they are dishonest, and I am not indicting them. I do state they have an absolute 100-percent monopoly on practically every pound of aluminum produced, and we cannot build a plane without paying their price and doing what they desire us to do.

Mr. O'CONNOR. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Montana.

Mr. O'CONNOR. Has the gentleman ever heard of anyone questioning the truth of his statement that the material called aluminum is absolutely in the hands 100 percent of the Mellon interests of this country? And the Government has no other source to look to in the construction of the airplane production.

Mr. LEAVY. No. On the contrary, I have had it verified time after time that those interests have absolute control of aluminum production and the Government has no other source from which to get this metal.

Mr. GEYER of California. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from California.

Mr. GEYER of California. I am very much interested in the statement the gentleman is making. It seems there is a remarkable contribution that can be made by this House to our national defense. I hope we do something about it.

Mr. LEAVY. I thank the gentleman.

Mr. PLUMLEY. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Vermont.

Mr. PLUMLEY. I would like to make this contribution as a member of the Subcommittee on Appropriations for the Navy having to do with strategic minerals and metals. I do not care how much you attack the Aluminum Corporation of America, and I do not think that is the basis or reason for the gentleman's assertion that he needs this appropriation because he would need it anyway, and should have it.

Mr. LEAVY. I thank the gentleman. I did not make the statement based on the theory I needed it for the purpose of breaking up a monopoly. I made it for the purpose of establishing the fact that here we have for American industry a new metal, at a price one-third of what we now pay for an inferior metallic magnesium and at a price 50 percent of what we pay for aluminum.

Mr. VOORHIS of California. The gentleman would be willing to say, in substantiation of his own position on this matter, that to the extent it has been successful, if there is a monopolistic control over patents in this particular field this development would help to break it open for possibilities of greater production?

Mr. LEAVY. It certainly would.

Mr. PLUMLEY. Why start a row over it?

Mr. LEAVY. I am not interested in starting a row. Of course, I am interested in stating a fact and I do state that in my own opinion, and it is only an opinion, we are paying an exorbitant price for the aluminum that goes into American planes when we have doubled and trebled the output and when we are selling Bonneville power at 2 mills a kilowatt to produce it.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield the gentleman 1 additional minute?

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. Did I understand the gentleman to say that the appropriation included in the bill that he is talking about is limited exclusively to the investigation of magnesite?

Mr. LEAVY. This $20,000 is supplemental to a $20,000 appropriated earlier so that this pilot-plant experiment at Pullman, Wash., can be hastened, and it is limited to that particular purpose.

Mr. MURDOCK of Utah. Limited exclusively to magnesite?

Mr. LEAVY. This $20,000 is limited to speeding up pilot-plant construction at Washington State College.

Mr. MURDOCK of Utah. Does not the gentleman think that by limiting the appropriation exclusively to magnesite, instead of being beneficial, as it should be to our national-defense program, we should tell the Bureau of Mines not only to look at the availability of magnesite as a substitute for aluminum but it should also be looking to other sources of aluminum, instead of limiting it to one metal?

Mr. LEAVY. I may say to the gentleman from Utah that there are very substantial sums for the purposes the gentleman now suggests. I feel the alunite found in large deposits in both your State and mine should be given much greater consideration.

Mr. MURDOCK of Utah. That is what I wanted to know. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I had intended no remarks on the pending bill until a situation in the Appropriations Committee this morning addressed itself to my attention which I think in the interest of fundamentals requires some observation.

The other day we observed the one hundred and fifty-third anniversary of the signing of the Constitution, a fact that has been immortalized by that canvas which hangs over in the rotunda of the Capitol. The idea of that document, of course, is first, a form of government epitomizing the only real representative republic on the face of the earth. One needs only to lift his eyes to look at and evaluate the democratic processes in some other countries, and he can tell at once that this is the only country where you can say we are still articulating the processes of democracy. If we want some estimate of how fitful the thing is, look at what Manuel Quezon did in the Philippines. Now, he used to serve in this body with a great many of the present Members. He got his political training sitting in the front row of this body. About 6 weeks ago he recommended to the Phillipine Legislature the necessity for a one-party government in the interest of efficiency in the Philippines. That is after all only symbolic of the rule of fascism.

It is only 8 weeks ago that a physically weak premier of Japan recommended to his country the necessity for embracing the totalitarian theory and set up a one-party government in that country. So fascism becomes complete there.

The whole theory of Italy, Germany, Russia, and all the rest of the world is so well known that it requires neither emphasis nor recital from me. That is why I am more interested in our own country in the separation of powers provided in the Constitution and in the articulation and translation of those powers in a very dignified and meticulous way.

It is the only thing in this feverish world to which we can look forward with any degree of comfort. Now let us see how we are gradually leeching it away. We take first the things which were alluded to in the United States News this week. The chairman of an executive agency, the National Labor Relations Board, made confession that their lobbying activities in order to get more out of this Congress are in contravention of a statute. Was he indicted? No. Was he removed by the President of the United States? No. Was any remonstrance addressed to him by his chief officer, the President of the United States? None of which I am aware. So here is an agency and the head of an agency which ignores and spurns and flouts the solemn law of the land, and nothing is done about it. It is one of those petty things, but just let it run on and finally it leeches away this whole structure and impairs the very integrity of representative government.

Secondly, how blindly we accept, for instance, a violation of the Corrupt Practices Act. It is a known fact that our friends on this side of the aisle, speaking through their national committee—and they are not responsible for it but their national committee is—received $150,000 in contributions to a campaign book, all of which was obtained from 170 corporations. There is not a man who knows anything about that law who will stand up and defend that kind of a practice. Well, what is done about it? Oh, people laugh. They shrug their shoulders. They regard it as a great joke. Is it not funny? Why, you get away with it so merrily, and why not? After all, maybe that is the new language, maybe that is the new moral climate of America. I do not know, but it is a tragic moral climate if it is.

Now consider for a moment the essential facts of the recent exchange of overage destroyers for Caribbean naval bases.

I have examined Attorney General Jackson's opinion from start to finish, and I cannot yet find anyone who will stand upon that opinion outside of the Attorney General and the President of the United States.

There you have three separate instances, one involving the Attorney General and the President, one involving a political committee that is seeking now to obtain the suffrage of the people of this country, or a majority, in order to continue the present administration in power, and finally, the chairman of an agency who freely admits that they did flout a law, and nothing has been done by way of discipline or disciplinary action.

How long do you think that can go on without completely leeching away the morality and the integrity of this country and sending our Government down to the forgotten dust?

I allude to it today because in this bill the matter is again presented. We had an appropriation bill in this session of the Congress whereby a subcommittee recommended that some $43,000 or $45,000 be taken away from the National Labor Relations Board and that a bureau which they had there, known as an agency on economic research, be disbanded as not particularly necessary, and maybe not conducive to the objectives for which public money ought to be spent. What happened? I read the report. They did disband that particular agency or group, but they transferred all the employees to a new agency—not quite all, but most of them—and they called it the Division of Technical Service, for which they get $34,000.

Let me submit this matter to you as Members of Congress, members of an independent branch of this Government to whom the Constitution entrusts the power of the purse. This Congress solemnly says to the chairman of that agency: "You do not need that division. It is not serving a useful purpose, and you have some people down there whose philosophies and ideologies are not quite in line with what we deem the democracy of this country to be, so there will be no money for that." So what does he do? He says: "Oh, I will fix that Congress. I will just give the division a new label; that is all. But it will be the same can with the same contents, so we will spend the money for the same purpose we are spending it for now." He in essence, along with those who were subordinate to him, is saying, "The hell with Congress, the hell with them." Excuse the inelegance of that term, but what other explanation can you place upon it? If Mr. Madden would flout the intent, the purpose, the will, and the expressed mandate of the Congress—and here sits the gentleman from Wisconsin [Mr. KEEFE], who, with his subcommittee, had Mr. Madden come up and make confession of that fact and confession of other facts—then who are we to complain when other statutes are violated?

Suppose they do not send this Congress a report on national-defense expenditures, as provided by law, and we say, "Now, send us a report," and they say, "Oh, well, there is hysteria in the country; everybody is for national defense; the devil with Congress; we will make no report to them." Suppose some other desirable objective should be achieved and it required the flaunting of a law.

They might say, "Oh, well, hysteria is running in the country and people are so singly minded on this thing called security that they are not particularly concerned whether the integrity of the law and the institutions of the country are preserved and defended even as they were 153 years ago, when they launched this great experiment in government."

Here are three instances. Here comes the fourth instance, where apparently the power of the Congress, under the Constitution, seems to mean very little to some of these executive agencies. Do you not understand how that dangerous virus moves out? If the chairman of an agency feels that way, can you blame him if a stenographer down at that agency feels that way? Can you blame him if a clerk receiving $1,440 feels that way? Why, that conversation will go along, and they will say, "Here we are, we are an agency, 400 people here. Our boss apparently ignored an act of the Congress this week and nothing was done about it. Maybe we can do the same thing." So little by little, where integrity fails at the top, it percolates down to the bottom, and in a little while—and this is the premise I started on—you have leeched away the very substance of this thing that we cherish so dearly and which we observed in its anniversary only a few days ago.

I say it is such a tremendously important thing in this rather fitful and feverish hour, that I propose to make my protest as we go along, because I have found that the people out in the hinterland, out in my country 900 miles away, are still intensely interested in preserving the structure and the processes that made this country great. It is a great responsibility in an hour of trial and despair, when the whole world is filled with madness.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I am glad the gentleman has made the remark about morality, but what can we expect from the rank and file of the people when high officials from the President down violate the mandates and laws passed by the Congress? Does not the gentleman feel that the morality of the people themselves is being destroyed under the example of our Executive leadership?

Mr. DIRKSEN. I recognize the pertinence of that observation, and I do not want to put it on personal grounds. I am thinking in terms of the country; I am thinking in terms of the consequences of this war; I am thinking in terms of the organic act under which we operate, and if we sit idly by and fail to make our protests, what kind of accounting are we going to make of our stewardship when we get home? The people will be very much interested. Make no mistake about that.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GIFFORD. I regret to say that I had expected on tomorrow to make it a little more on personal grounds, but

I want to ask the gentleman, is this any recent discovery he has made? I thought I knew about the abject surrender of Congress some few years ago. I thought we had surrendered some time ago. Why do we not deserve the actual contempt of the Executive? Why should he not have contempt?

Mr. DIRKSEN. Frankly, I do not know what sort of rejoinder to make to that observation.

Mr. GIFFORD. I will make it tomorrow.

Mr. DIRKSEN. I recognize that in the celebrated hundred days of 1933 we first delegated power, and we have been delegating power ever since. So what will the ultimate score be, particularly in an hour like this, when we recognize the necessity for making this Nation secure against that which menaces from without and that which menaces from within. Now, let us look at it just a little more realistically, perhaps, from within.

Mr. GIFFORD. If I may suggest something there, I have asked for time on tomorrow and I may say, if it will interest the gentleman, my subject will be "Our own problem of dictatorship."

Mr. DIRKSEN. Let me just allude to that in terms of the situation from within. I have been tracing down some appropriation figures and expenditures this morning, insofar as they have gone, and they have not been entirely tabulated yet—first, fix this in your mind. According to the Secretary of the Treasury, the deficit for the fiscal year will be approximately $5,500,000,000. That is fifty-five hundred million dollars. That is a lot of money. If we expect to gear up and get away from constant borrowings, in the degree in which it is being done today, we will have to put this country on a $12,000,000,000 annual cash basis; and where are we going to get the revenues for that? It will mean a 100-percent increase in taxes over present revenues. Present taxes are 100 percent higher than in 1932. Meanwhile we are going along under contract authorizations and direct appropriations, with a $50,000,000,000 debt immediately ahead and we are shooting in the direction of a $60,000,000,000 national debt. If you will examine the figures of the Secretary of the Treasury you will find that the lowest interest rate now prevailing is 2.59 percent.

Expressing it on the basis of a $60,000,000,000 debt, your annual debt service will be over $1,500,000,000. When I was born, in 1896, they ran this great country, including the Post Office, pensions for Indians, the Army, the Navy, and all the regular responsibilities of the Regular Establishment of Government for $340,000,000. So here comes a debt service charge, coming on soon, that will be three and a half times the whole cost of Government only 2 generations ago.

Now, what will be the ultimate result? Will we finally get to that point where we will do what they have done in other countries, when out of the crucible of debt and despair they say, "Oh, well, I guess maybe somebody has got to be invested with lots of power to get us out of this difficulty."

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 more minutes.

Someone must be invested with lots of power to keep the old prow of the ship heading into the wind, and when you have done that you have virtually signed the warrant to undermine the democratic processes of this country.

I have never been persuaded that any one man, I do not care who he is, wants to be a dictator in this country. I have never been persuaded that any one man, and I do not care what his name is, can reach out just casually, in a perfunctory way, and take over dictatorial powers. No; there has to be a condition out of which it is bred. There must be something to spew it out and set the stage.

So gradually we are setting the stage and adding to it certain disrespect for the law of the country as solemnly written by the Congress and signed by the Presidents of other days. If that tendency persists, gentlemen, look out. We are walking on dangerous ground in an hour when republics and representative governments and democracies so easily succumb to the totalitarian ideology.

Mr. PLUMLEY. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. PLUMLEY. If the gentleman will permit an observation, to the effect that without regard to what you may believe from the standpoint of partisan politics, it is nevertheless a fact that what you have said is true with respect to the usurpation and surrender of the prerogatives of this body. And else both sides of this aisle wake up to the fact that it does confront them, in view of the fact, as the gentleman has stated, that a man who sat here so long as the representative of the Philippine government has suggested that we need only a one-party government, and one of the most distinguished members of another body has advocated and established in his State a unicameral legislature, it will soon be that we will not be.

Mr. DIRKSEN. That may be true. Let me add this: There is just as much interest in preserving this Government on one side of the aisle as on the other side of the aisle. It is not a partisan matter, but we are all responsible for this. So often we become indifferent; so often there are other things to be done in the office; so often there are realistic things that go to make up the job of representing a constituency in the country, and we become slightly indifferent to what sometimes seems to be an academic matter. But it is not academic. It goes to the very vitals and the very heart of the perpetuity of this Government. What is to be done about it? I do not think I have ever expressed any alarm on this floor in the years that a constituency has kindly indulged me to be here, but you cannot view the world situation today, the pressure from the outside and the pressure of unsolved problems from the inside, without cherishing some degree of alarm. You cannot divest yourself of it any longer.

Mr. GIFFORD. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GIFFORD. Because you have said what you have, did you not hear those reassuring words from Philadelphia on Friday afternoon, "No dictator ever dared to subject himself to a free and untrammeled electorate"? Did you hear it?

Mr. DIRKSEN. I did not hear it. I read it.

Mr. GIFFORD. Well, I listened carefully and the great precedent breaker is about to break that precedent.

Mr. DIRKSEN. That may be.

Mr. GIFFORD. Yes; he is about to break that precedent.

Mr. DIRKSEN. Perhaps I should apologize to the membership today for suggesting this matter in a rather casual manner. Yet it is something over which we must study and take heart. It is a time for quiet and undramatic courage as we address ourselves to the task of preserving both the form and substance of representative, constitutional government. When we find that our own processes are not fast enough or expeditious enough to meet the situation, then we are apt to say "More power in the interest of more efficiency." That was the gospel that Manuel Quezon sold to the Philippine Legislature not so long ago when he used the word "efficiency." He said, "We have to be more efficient." Oh, what a poor pupil he was of the tutelage that he got in this Congress. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Chairman, you have just listened to a very able address, in different words, but you have been hearing it for 5 years, and you are liable to hear it much more between now and November 5. Not much more thereafter.

There is an appropriation here for $100,000 for the enforcement of the Hatch Act, one of those things that was passed by a bulldozing, high pressure, and mental coercion that would have never passed either body of this Congress on a secret ballot. It took away the constitutional rights of the freedom of speech and the freedom of press of many in the country, where political knowledge and the dissemination of political knowledge is presumed to be the basis of a democracy. Departing from that un-American principle, our good Republican friends may well have all the credit for the passage of that act. I want to call their attention to one thing, that the Civil Service Commission just recently asked the Department of Justice for an interpretation of

the various phases of the Hatch Act and how to enforce it. One of them was that anyone receiving any money from any source, however small, from the Federal Government could not haul a voter to the polls. Now, of course, that forces you to leave your grandmother or your mother-in-law at home if she wanted to go to vote. If she wanted to go to do some shopping, she could slip out of sight and go to the polls and vote, but you could not haul her to the polls to vote if that is what she said she wanted to go for. Your boy could not go down the road and get granddad or Uncle Ben, who had the rheumatism and no way to get to the polls. He cannot do that at all if he is a postmaster and gets only $60 a year. He has got to let the old man walk or hint around to somebody and let somebody go back to pick him up. That is the ruling. As that is the ruling, I want to call your attention to the fact that there are Republican State organizations here in Washington. I have seen letters from some of them to civil-service employees in Washington asking: "Are you going home to vote? If you are, do you have room to take another in your car? If not, if you have no car, we will let you ride with somebody who has one." If the interpretation of the Department of Justice is correct, and if you cannot haul a voter to the polls even in a rural section where it has been the custom for years, then you cannot haul somebody back home with you from Washington to your district. I think the Republican Party, which is responsible for passing the Hatch Act, ought to send word back to these State Republican headquarters that what they are doing in the matter of absentee voters is contrary to the interpretation of both the Civil Service Commission and the Department of Justice. Why has not some Republican guardian of the Hatch Act called attention to this violation? [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, it has been rumored that we may obtain the joint use, with Great Britain, of the naval base at Singapore, out in the Far East. I do not know whether this is true or not. At any rate I do not believe we are showing enough vision or enough ambition with regard to the so-called national defense. We are restricting and confining ourselves to hemispheric and Far East defense. I say this is not enough. I say Congress is lagging behind on this question of national defense. What we really need is interplanetary defense. We speak of Great Britain as being our first line of defense. This, I believe, again indicates a lack of vision and ambition on the part of the servants of the people. Our first line of defense is not Great Britain. Our first line of defense is the milky way and therefore we ought to see to it that we get a base on Mars and Jupiter.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield briefly.

Mr. FISH. The gentleman remembers perfectly well, does he not, that a year or two ago, because of a radio broadcast the people thought that in New Jersey we were suffering an invasion from Mars?

Mr. MARCANTONIO. Oh, yes; and it was not so long ago that the mayor of that town was defending it against an invasion from the Bill of Rights.

Mr. FISH. Anything can happen in the State of New Jersey.

Mr. MARCANTONIO. And it can happen right here in the Well of this House. We have had many Orson Welles-like demonstrations right here since the first one took place on May 16.

Why confine ourselves to just a two-ocean Navy? What we really need is a nine-ocean navy. If you tell me there are only seven seas on which men can sail ships I say that all we have to do is to put the American boys we are conscripting to work digging two more oceans. What better way is there to toughen them up? After they have dug these two extra oceans then we can build two more navies and thus we shall have a nine-ocean navy.

Our defense program therefore should be based on an interplanetary defense with the Milky Way as our first line with a nine-ocean navy. With all this how can we miss protecting this so-called American way of life in the name of which we are now destroying the lives and liberties of the American people? [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, we are here to consider the first supplemental civil functions appropriations bill for 1941. This is not the first deficiency appropriation bill this year. We have passed many appropriation bills during this session of Congress. The fact of the matter is that a greater proportion of the bills we have passed since the 1st of January have been appropriation bills. We have spent more of the time of the House considering the spending of money than possibly any other subject, and this is probably the longest peacetime session of Congress in the history of this country.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question.

Mr. RICH. I yield.

Mr. TABER. Appropriation bills produce bigger and better deficits, do they not?

Mr. RICH. That seems to be the theory we are going on during this session of Congress, under the New Deal. The more appropriation bills we pass the greater the deficit.

There is much truth and hard common sense in the statement made by the gentleman from New York. I am a member of the Committee on Appropriation bills, but I have heard little said in the committee and hardly anything on the floor of the House as to where we are going to get the money. During this session of Congress we have appropriated and authorized over $20,000,000,000. According to the estimate of the President our expected revenues during the coming year will be about $5,600,000,000. That was before we passed the first tax bill this session. We passed one tax bill early this session that is supposed to raise $1,007,000,000 additional revenue, then we passed an emergency tax bill a week or two ago which we called the excess-profits tax bill or war preparation tax bill which is supposed to bring in $230,000,000 this year. Where are the New Deal spending tax bills, we should have had several of them. Anticipated revenue deducted from the items appropriated and authorized so far this session will leave us in the red next year somewhere between $12,000,000,000 and $15,000,000,000. A New Deal record. They have not balanced the Budget 1 year since they took office. They are from a billion and one-half to four and a half billion in the red each year the past 7 years, notwithstanding the fact the President promised a balanced Budget by 1936. He is getting worse off each year. All they know is—spend, spend, spend. Soon it will be crash, crash, crash, or wreck, wreck, wreck.

The reason I cannot say it is going to be twelve billion or twelve and one-half billion dollars, is because nobody knows what this Congress is going to appropriate before it adjourns, and they are talking about adjourning next Saturday night. They do not know one day what will happen the next.

Mr. TABER. Will the gentleman yield for another question?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. We have heard a lot about the Appropriations Committee, but we do not hear very much about some of the other committees that help contribute to the deficit. For instance, the Banking and Currency Committee has authorized large sums of money for the R. F. C. that are just the same as appropriations, and may run into the billions of dollars.

Mr. RICH. I suppose our contingent liabilities now, including all appropriations that have been made the last 2 or 3 years, will run in the neighborhood of four or five billion dollars. If we add that to our national debt which on September 18 amounted to $44,060,797,000, you will see what it is—about $50,000,000,000. You will also remember that when they devalued the gold dollar from $20.60 an ounce to $35 an ounce they made $3,000,000,000, and that $3,000,000,000 was charged off. So if we add that to the deficit, we would be

over $53,000,000,000 in the red now. We increased the national debt from forty-five to forty-nine billion dollars and if we do not get out of here pretty doggone quick we will be over fifty-five billion before we adjourn the end of this week. It is terrible, it is a terrible situation I say. No business in the New Deal.

Mr. PLUMLEY. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Vermont.

Mr. PLUMLEY. The gentleman from New York has called attention to the fact that the Appropriations Committee is not alone to be held responsible for the expenditures, in view of the fact, as he suggests, that the Committee on Banking and Currency has authorized certain other expenditures. But is it not true that other committees of the House and the House itself by its vote have authorized tremendous expenditures, as I say unjustified, which the Appropriations Committee has had to undertake to cut down. Why not pay the devil his due? We have had to meet a situation. We have had to meet authorizations made and voted. We have tried to eliminate from those authorizations every expenditure that we thought was unwise. The gentleman as a member of this committee is attacking his own committee.

Mr. RICH. If the gentleman is trying to defend this committee, why he has got a real job. I know that the committees of the House of Representatives, the President, and everybody associated with the New Deal Congress are responsible, but you Republicans cannot stop them, and you will not stop them until the people of this country back home realize on November 5 that they have to clean house. They have got to clean out the house down there at 1600 Pennsylvania Avenue, which is the White House. That is the first place they will have to start. Then they will have to watch these New Deal Senators over there. Then the people of this country must say to the Congress: "You have gone so far and you cannot go any further." You must give the people a sound Republican administration. No more New Deal.

The point I want to make is that if the people of this country do not clean house, then your responsibility as members of the Appropriations Committee is to refuse to give the New Deal something that we have not got to give. If that is not a good point, then I would like to know what other point you can make? The Appropriations Committee must refuse to give the New Deal these extravagant funds that they are asking for. We have got to get rid of some of these bureaucrats that we have. Let me say to the gentleman from Vermont that he is one of the most intelligent men we have in the Congress. Does he not know that the President of the United States had 563,847 employees in the Government when he came into office on March 3, 1933? The number of employees he has put on the roll since then has been tremendous. On June 30 we had 1,066,011. That is more than we had at the highest peak of Government employees during the World War. At that time we only had 799,736 employees.

Just think of it, the President stated that he would consolidate the bureaus and cut down in his department. He increased them almost 100 percent. I am speaking now to the gentleman from Vermont: Does he not think that is a terrible travesty on the word he gave the American people at that time?

Mr. PLUMLEY. I admit that.

Mr. RICH. Why, certainly. I knew the gentleman would.

Mr. HAWKS. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Wisconsin.

Mr. HAWKS. Are we not between the devil and the deep blue sea? The longer we stay here the more money we spend, but if we go home we may come back here and find that they have given the dome of the Capitol away to a foreign nation.

Mr. RICH. I would not trust them with anything. Congress has put in peacetime conscription to raise 1,000,000 or 2,000,000 men in order that we might have an army so that a dictator can take over a great mass of people at one time. We ought to have a sound man in the White House, one that we are not afraid of. The worst thing that Congress ever did was to establish peacetime conscription. We could have had all the volunteers we needed for $35 a month and 1-year enlistment. When you go back home and take the record of all these fellows who voted for peacetime conscription, when they see how close we are coming to dictatorship, they will wake up, and if that time comes, and it is just a short distance away, the people will wake up, but it will be too late.

I warn the American people now to keep their eyes open and remember these things on November 5. The Congress of the United States has authorized the President, after he got behind them and drove them to it, to create an army of a million men. Who is afraid of Hitler? He is not coming 3,000 miles across the Atlantic Ocean. He is not going to attack this country. Any man who is in the White House should not be able to say that Mussolini stuck us in the back. We ought to have somebody in the White House who is friendly to the people all over the world if we want to be a good neighbor. Mr. Roosevelt has lost the confidence of most European nations.

Now, let us get to this bill that we have under consideration, which is a supplemental civil-functions appropriation bill. If the House of Representatives wants to do the right thing, it will cut out a whole lot of appropriations that appear in this bill; cut down on useless Government expenditures.

Let us just see what some of them are. Here we have $38,167,000 for the reduction of interest on farm-mortgage payments to the Federal land banks and the Federal Farm Mortgage Corporation. What is that for? You passed laws reducing the interest rate to the farmer. That might be all right, but when the time comes that the Congress of the United States passes a bill—and this is what the gentleman from Vermont was referring to a few moments ago—and makes certain conditions, you ought to know exactly what the conditions are and how you are going to handle the situation. What are you going to do? You are going to pay $38,167,000 to the bankers of this country. Think of it. You are not going to pay that to the farmers. The farmers are going to get a reduction in their interest rate, to be sure, but this is a refund to the bankers. How will the taxpayers like that?

Mr. COCHRAN. Mr. Chairman, will the gentleman yield right on that point?

Mr. RICH. You get this point. You are going to pay that $38,167,000 to the bankers of this country. Who is going to do it? The taxpayers—the people in need that are out over the United States—men and women who are making $1,000 or $500 a year, or whatever they are making. Those people are going to pay the greatest amount, and they are going to pay that money to the bankers of this country just because you pass some laws that are not justifiable and that cannot be substantiated.

Mr. COCHRAN. Now will the gentleman yield on that subject?

Mr. RICH. Just wait until I give you a little more information here.

Mr. COCHRAN. I mean on the very point the gentleman is making.

Mr. RICH. I am going to make the point now.

Take the fellow who makes $1,000 a year, he pays $190 a year in taxes. The fellow who makes $2,000 a year pays $335 a year in taxes. The fellow who makes $5,000 a year pays $1,060 in taxes. The point I make is that the smaller the salary a fellow gets the larger the percentage of his earnings that goes into taxes. But that is not all. This is the crux of the situation. The fellow who paid $190 out of his $1,000 salary under the tax plan we have had up to this time is going to be compelled to pay twice that much, because you are going to be more than twice that much in the red this year over what you were last year, and last year you were in the red over $3,600,000,000. If you can go back to your constituents and satisfy them that that is a wise thing for Congress to do, then I should like to know how you can camouflage them like that. You will have to have more taxes or bust the Government?

Now come on with your question.

Mr. COCHRAN. The gentleman is blaming everything on Sixteenth and Pennsylvania Avenue. Now let me ask about the $38,000,000 about which the gentleman is making a lot of noise. Is that the fault of Sixteenth and Pennsylvania Avenue?

Mr. RICH. I do not yield any further, Mr. Chairman.

Mr. COCHRAN. The gentleman knows that he voted to override the President's veto.

Mr. RICH. I want to show you that I am blaming things on 1600 Pennsylvania Avenue. You are right. When that man took his oath of office on March 4, 1933——

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. RICH. The gentleman is right when he says I am blaming this on Sixteenth and Pennsylvania Avenue. That is the White House, for the benefit of anybody who does not know what it is. Franklin D. Roosevelt lives down there. He is the man who is being interfered with now by a third-term candidate by the name of F. D. Roosevelt. He wants to break down that precedent of two terms for a President. He is the third-term candidate who said in Philadelphia the other day that he wanted free and untrammeled elections. When you had the convention out in Chicago you did not have a free and untrammeled election. He said who was going to be the Presidential candidate as well as the Vice Presidential candidate and you had to take it. It is a pretty bitter pill for a lot of you, too, on the Democratic side of the aisle.

Mr. COCHRAN. I am asking the gentleman if he voted to override the President's veto?

Mr. RICH. I do not yield to the gentleman. I want to answer his first question.

Mr. COCHRAN. Answer "Yes" or "No." Did the gentleman override his veto?

Mr. RICH. I have tried to override it a good many times, and I have sustained his veto many, many times. He whips you into line, and nobody can override him on the New Deal side of the aisle. When he licks you into line you always walk down the chalk mark and you say, "Well, we will have to take it because we are good rubber stamps here, we have given him everything he wants, and we will continue to give it to him."

Mr. COCHRAN. How about the gentleman? Did he take it?

Mr. RICH. No; he never told me how I should vote; I would not obey him. The only thing you have to do is to get rid of him. Now, wait until I tell you. When he took office I thought he was an angel sent from heaven. I told the people back in my district I would support him. When he made the pre-election promises that he did, they were some of the finest statements that any man ever made before he got into office, but when he came into office he was not here 6 months until he started to repudiate his word. When a man tells me one thing and repudiates his word and does not carry it out, I do not have any time for him, and I do not care where he lives, what his name is, or where he comes from. A man who is not as good as his word is not worth a whoop.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield now?

Mr. RICH. I yield now.

Mr. COCHRAN. I asked the gentleman to tell the House whether he voted to override the President's veto of this act that requires the payment of this $38,000,000.

Well, did you do it? Did you vote to override the veto?

Mr. RICH. Wherever he has acted to cut down expenses and save this Government money I have supported him in most every instance.

Mr. COCHRAN. What did you do in that instance? That is what I am asking the gentleman now.

Mr. RICH. Oh, sit down.

Mr. COCHRAN. So now you refuse to say "Yes" or "No."

The CHAIRMAN. The gentleman from Pennsylvania declines to yield.

Mr. COCHRAN. I will look up the RECORD and see how the gentleman voted.

Mr. RICH. I want to call your attention to some more of these things.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. WHITE of Idaho. The gentleman speaks of paying money to the bankers. Has the gentleman made any computation of what the bankers are collecting for the circulation of Federal Reserve notes in this country?

Mr. RICH. When the President took the gold over here and paid from $25.60 to $35 an ounce he lost many billions. He also went out into your State and into other Western States and gave you big premiums for silver, and he has gone into all the countries of the world and paid them big premiums for gold and silver, and the taxpayers of this country have got to foot the bills. Is that right? Is it just to tax your people for something that the foreigners are going to get the benefit of?

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. The gentleman from Missouri [Mr. COCHRAN] was asking the gentleman if he voted to override the President's veto on the $38,000,000 for the reduction of interest upon farm mortgages. I understand the facts are that the President vetoed that proposition last year, but that this is election year and he has signed it.

Mr. RICH. Well, he does a lot of things like that. You know, he is the greatest politician that ever came into office, and he will do anything to get political favor in this country. A clever politician for F. D. R., but a mighty poor businessman.

Mr. WHITE of Idaho. The gentleman asked me a question. Will he yield for an answer?

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question to the gentleman from Washington.

Mr. LEAVY. The gentleman has repeatedly said in the course of his remarks that he would get rid of the gentleman down at the White House, and, of course, that implies displacing him with somebody else.

Mr. RICH. That is right. I certainly would replace him.

Mr. LEAVY. Whom would the gentleman put in his place?

Mr. RICH. Well, there is one fellow we can try, because we can try anybody but F. D. R. A gentleman over in the Senate said the other day it does not make any difference whom we have in the White House so long as we do not have the present occupant of the White House. We cannot have anybody half as bad.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman from Pennsylvania 5 additional minutes.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. RICH. I cannot yield any further. I want to talk about Grand Coulee.

Mr. LEAVY. If the gentleman will just let me ask this one question. If you mean that we should put Mr. Willkie in the White House, he is for the selective service and just as much so as Mr. Roosevelt.

Mr. RICH. Let me tell you this. Mr. Willkie might be for the selective service, and I am against it, but Mr. Willkie is not going to tell me how to vote; at least I will not vote that way. The people of my district sent me here to use my head and I am going to tell you that neither Mr. Willkie nor Mr. Roosevelt nor anybody else is going to tell me to do something wrong. That is the answer, if that is what you would like to have.

Mr. LEAVY. I agree with the gentleman and I think we all are just as much——

Mr. RICH. Now, I want to get back to this bill. When you have a subcommittee of the Appropriations Committee on the Interior Department, the bureau heads come in here and ask for a lot of funds without the chairman of the Appropriations Committee calling on the members of the subcommittee to see whether the appropriations are justifiable. They do not do that. There is not the business organization

to the Appropriations Committee that there should be, because if a subcommittee is supposed to handle the appropriations for the Interior Department they ought to be kept informed at all times of just what is going on. They are in better position to advise the full committee. That is what you have them for. Why do you not use them? That is the business way to do it.

Let me now call your attention to some of the things that we have put in this appropriation bill which I claim are not justifiable items and should be stricken out of the bill. You have added $137,000 to the appropriation for the Bituminous Coal Commission. The Bituminous Coal Commission has been working for 5 years and they have spent $10,000,000 or $12,000,000 and it was just recently that they established the price of coal; some expense for such an item. It took them 5 or 6 years to establish the price of coal. They cut down on a lot of their offices and we could have cut out that $137,000 very easily and it would not have made any difference to that Commission, and that is the point I want to make. We should keep our eyes on the pennies and the dollars will take care of themselves. Save, save, save, should be our motto; not spend, spend, spend. Save means thrift. Spend means recklessness or break-down. We could save here and there hundreds of thousands of dollars if we had the will to do it in this bill.

Now, take the next item, the Bonneville power project; you are giving $3,850,000 in this bill. That Bonneville power item could have been kept out of this bill, because they have had enough money to buy all the transmission lines that they could have judiciously purchased or erected this year.

The amount that has been put in for the Bureau of Indian Affairs should not have been in this appropriation bill.

Here is the Bureau of Reclamation. They gave to the Pine River project in Colorado $400,000. That does not need to be appropriated for now.

The Colorado River project in Texas, $2,500,000. That is not necessary for national defense. It is not necessary to make appropriations now for the Biological Survey.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RICH. The National Park Service: Here they are going down into Virginia and putting an addition on the building at the Jamestown Museum costing $10,000. That has no place in this bill.

Photographic Mat Service, not to exceed $6,000. That is for making mats for pictures to be put out over the country when they have appropriated money for these various departments for their advertising.

Here they are giving not to exceed $3,000 for additional mats. That has no place in this deficiency appropriation bill. Why the committee granted it I do not know. Poor business for the committee to do so.

Government of the Territories: They give $3,000 to take care of the insane in Alaska. We took care of all of the insane in Alaska, according to the wishes of the Department, when we made that appropriation bill 3 or 4 months ago. Now, they come in here and want three or four thousand dollars more.

The Virgin Islands Co., $8,450. I do not know how the gentleman in charge of this bill, or any other gentleman, can justify that amount. That is the place where all the people in this country are in the rum business; where they are selling 500 cases of rum up in New England, giving away 200 cases free; where the Government has started in the rum business and bought these old, worn-out rum mills, trying to take care of these people in the rum business when the people in this country do not want it. It is of no more use than the fifth wheel on a wagon to give that much money to the Virgin Islands Co. at this time. They always have been an expense to our Government. We need new management. We need to take the Government out of business, especially the rum distilling that you put all the American people in against their will and in competition with the rum manufacturers of America and the wost possible kind of unethical competition. The rum people of America do not like it and the taxpayers do not like it.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

BONNEVILLE POWER AND NATIONAL DEFENSE

Mr. ANGELL. Mr. Chairman, there is one item in this deficiency bill—first supplemental civil functions appropriation bill, 1941—which I desire specifically to call to your attention. It is the appropriation of $3,850,000 for additional extension facilities for the Bonneville project on the Columbia River in Oregon. The President and the Bureau of the Budget transmitted a Bonneville supplemental estimate of $3,850,000 covering this which is divided as follows:

Item 1. Grand Coulee-Covington transmission line, initial materials, right-of-way, and clearing	$1,500,000
Item 2. Covington-Seattle line	200,000
Item 3. Substation additions	1,600,000
Item 4. Feeder connections	500,000
Item 5. Tools and equipment	50,000
Total	3,850,000

In view of the President's Executive order the first two items are necessary to start work on outlets to permit the sale of Coulee power. No direct Coulee outlets have been authorized to date, and it is obvious that they are necessary. Grand Coulee will bring in three generators totaling 324,000 kilowatts within the next year. This is 50 percent more firm power than was assured by the $65,000,000 T. V. A. appropriation bill but will not be fully available within 3 years. I might mention in this connection that Bonneville Dam is completed and Coulee will be within a year. All that is needed hereafter at both sites to acquire any amount additional capacity is the installation of machines—water turbines and generators with a roof above. For the capacity included in the T. V. A. appropriation, these Bonneville or Coulee machines could have been secured for about one-sixth of the amount necessary for a full hydro development with steam auxiliaries. I have been advised that the three Coulee machines I mention cost less than $10,000,000. Columbia power does not require a steam support.

Mr. Chairman, I might also state that additional Bonneville or Coulee capacity can be secured for one-half of the cost of any steam plant, and thereafter there would be no fuel costs involved. Bare fuel operating costs on the basis of T. V. A. reports range from about 1.6 to 3 mills per kilowatt-hour, depending on the distance from the fuel source. In the northwest, Columbia power costs, including all charges, interest, and amortization, are less than the bare fuel cost.

The remaining items of this estimate come within the scope of my investigations, and I desire to comment on the strategic metal and defense contribution that the northwest can make. The last three items of the submission can fit directly into such a program in my State. The submission is flexible enough to permit the use of these funds, wherever defense industrial requirements arise. Bonneville and Grand Coulee will within the next year have over 500,000 kilowatts of available low-cost power. The advisory commission in their appearance before the Appropriations Committee on the T. V. A. matter, stated in effect that there was a shortage of power capacity required for defense, and there was no private company in the United States capable of supplying even 200,000 kilowatts. I could add to this statement by saying that there are no power sources in America that can approach the Columbia River plants in low cost.

POWER COSTS AND ELECTROLYTIC PROCESSES

Inquiry and investigation develop the following over-all power facts: The hydro power that the Aluminum Co. is purchasing at the T. V. A. costs about 50 percent more than Bonneville delivered power. The T. V. A. steam power, with low coal prices, will cost over two times as much as Bonneville power. The Holston Reservoir hydro power will cost, if fully amortized, like the estimate before you, nearly one and nine-tenths times as much as Columbia power. Niagara industrial power sells for 50 percent more than Bonneville power. Eastern and midwestern steam power will cost nearly three

times as much. All of these comparisons are made on a kilowatt-hour basis for the purpose of pointing out the base economics behind the electrolytic processes, on which the defense program must rest. Electrolytic metal processes cannot economically stand power costs above 3 mills per kilowatt-hour unless there is a Federal subsidy in the metal price paid. This economic fact precludes steam power from consideration from such process use. Columbia power derives its advantage from the gifts of nature in the form of high-average river flows, steadiness of flow, high waterfalls, low-cost reservois sites, and advantageous dam sites with solid floors. As a power producer, the Columbia tops the list of high-class power streams, like the Niagara, St. Lawrence, and Colorado.

THE DEFENSE PROBLEM

Modern warfare is one of machines. Machines require metals and modern machine electrolytic metals. I have stated before that the Detroit automobile industry would not have been possible without the superior electrolytic metals produced by Niagara 3-mill current. The two bottlenecks of the last war were power and strategic metals. As time goes on we will see these bottlenecks develop unless remedial measures are early adopted. The Northwest has both. All that is needed is to harness them together. It is apparent that we cannot afford to isolate such a block of power capacity at this time.

STRATEGIC METALS

Mr. Chairman, on May 8 last, before the present Defense Advisory Committee was created, I addressed the House on the metal and power situation. Originally I started this investigation as an aid to unemployment, and in the course of this investigation I discovered our great national-defense weakness from the standpoint of vital metals and power. I found that we are importing nearly $200,000,000 annually in vital metals. This importation represents an employment displacement nearly equal to the total metal-mining employment in the United States. To feel absolutely secure we must declare our independence from foreign material sources. For example, our steel industry would be helpless if the foreign supply of manganese were to be cut off. Large deposits of manganese ores exist in the West, notably in the Olympic Peninsula in Washington. Our western ores are more complex than the ores of other sections, but these can be reduced by electric processes. The Bureau of Mines has developed an electric process for the reduction of western manganese ores. The same situation exists as to magnesium, aluminum, from western alunite, chrome, tungsten, antimony, mica, and mercury.

DEFENSE INDUSTRIES

Civilization today would grind to an abrupt stop if the products of the electric furnace and the electrolytic cell should cease to be available. Our automobiles require the high-grade steel and steel alloys made in the electric furnace. The modern transport and military planes of today would be nonexistent if it were not for aluminum and magnesium metal products of the electrolytic cell. The examples can be multiplied as to cover every phase of modern industrial life—and, consequently, the importance of electric power becomes self-evident, especially if we note that these electroproducts require huge quantities of cheap power.

It is not easy to find cheap sources of dependable power in the Nation. Present plants are fast becoming loaded up to maximum capacity. We must not be subject to the almost disastrous power shortage of the last World War, and, gentlemen, we need not; the Columbia River projects at Bonneville and Grand Coulee are ready now to furnish ever-increasing quantities of the lowest-cost electric power in the United States. But great as this availability may be, we need the transmission lines to carry the energy from the power plants to the sites where industry will locate.

Ripe fruit can rot and fall to the ground unless we provide the baskets with which to collect the bounties of the fruit tree and transportation facilities to carry it to the markets.

Bonneville is ready to deliver 65,000 kilowatts to the Aluminum Co. of America's plant at Vancouver, Wash., which began operation September 3 of this year for the production of 30,000 tons a year of aluminum which we need in the production of sheets, rods, and structural shapes for our airplane program.

Bonneville is ready to deliver power to the Pacific Carbide & Alloys Co. in Portland for the production of calcium carbide, a chemical important in peace and war.

And Bonneville is in active contact with manufacturers and industrial groups contemplating northwestern production of high grade steel and steel alloys, ferrochrome—so important for armor plate—electrolytic zinc and manganese, aluminum from western raw materials, chromite, and chlorates. All these are electroindustries whose power demands will aggregate many tens of thousands of kilowatts.

Mr. Chairman, I call your attention to a timely report, just made public, prepared by the Bonneville Power Administration on industries important to national defense feasible of establishment in the Pacific Northwest. This report analyzes the specific contributions which the Northwest can well make to the national-defense program. It lists industries, a basic requirement of which is cheap and large blocks of power, industries whose products can provide some of the sinews for the defense of the west coast of our Pacific outposts, industries that are needed in the normal economic development of the Oregon country. I am told that if all these interested industries were to be established in the Northwest, their total initial power requirements would be in excess of 250,000 kilowatts. Where else in this Nation can such power be provided, especially in an area where most of the necessary raw materials can be found or readily made available from contiguous areas?

SELF-LIQUIDATION

Under the terms of the Bonneville Act this appropriation will be fully recovered. The act is mandatory in this requirement, and the rates to insure repayment are subject to periodical revision and check by the Power Commission before becoming effective. Manifestly this is strictly a business proposition, and also a worth-while contribution to our defense program.

Mr. Chairman, I sincerely urge my colleagues to approve this appropriation for providing these transmission facilities for the Bonneville and Grand Coulee projects so that this large block of much needed electric power may be made available at the very earliest time for use in our defense program.

There are a number of concerns that are engaged in manufacturing various articles going into our armaments that are now negotiating for plants in the Columbia River area in order to take advantage of this low-cost hydroelectric power. The Federal Government has a large investment in these projects and good business judgment dictates that the investment be put to use in furthering the early completion of our national defenses.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, I want the attention of the gentleman from Pennsylvania [Mr. RICH]. He refused to answer my question, but I have the RECORD of June 15, 1938, before me. The President vetoed a bill that requires the appropriation of $38,000,000, and among those voting to override the veto is the gentleman from Pennsylvania [Mr. RICH]. There is the gentleman's name. Do you want to have the RECORD corrected? [Laughter.]

Mr. RICH. Now, you look here. We wanted to give the farmers the advantage of that, but why did you wait until the time came and then not permit the farmers to get the advantage of it, but pay it to the bankers? [Laugher and applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 1 minute.

The gentleman from Missouri [Mr. COCHRAN] has made a mistake this time, because the bill under which we are

proposing $38,000,000 was passed this year, election year, and was signed by the President. [Laughter.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, this supplemental civil-functions appropriation bill contains an item for the Washington National Airport. I know that in recent weeks, especially, there has been considerable discussion of this project and certain individuals have stated publicly that it appeared that excessive amounts were being spent in the construction of the airport. Money should, of course, be carefully expended, but we must realize that the airport in Washington deserves to serve as a model for the metropolitan terminal throughout the United States. I feel that I should speak briefly about the fine work which has been done, under the tireless efforts of Col. Sumpter Smith, chairman of the Interdepartmental Engineering Commission. It was just a little less than 2 years ago that construction started. On Wednesday afternoon President Roosevelt will lay the cornerstone of the Terminal Building. At this point we should note the committee recommends the sum of $2,700,000, in lieu of the Budget estimate of $2,750,000, for use in making available proper facilities to take care of the operating transport air lines using the airport.

This money is to be used for the construction of five additional hangars and necessary improvements thereto. Under the Public Works Administration and Work Projects Administration there was provided a sum necessary for the construction of one hanger, but we find today that it is absolutely necessary to have constructed at the Washington National Airport sufficient hangar space to take care of the ever-increasing flow in and out of Washington of the operating lines that are handling passengers, express, and mail in the ever-growing transport system of the United States.

I think that all of us, regardless of the section of the country from which we come, understand full well that in the United States today we are developing a great system of air transportation. It is right, and it is proper, and it is necessary that at Washington, D. C., we have every possible facility to go with the actual airport itself, to take care of this ever-developing and ever-enlarging flow of traffic. Increasingly, Washington is the mecca for citizens from all sections of the Nation. They are coming here by all means of travel, but in greatly increased numbers by air each year.

We do know that this Washington airport is going to be a vital factor not only in the life of the Capital itself but in the life of the Nation as well.

It is fortunate that the location of the airport is but a 10- to 15-minute drive from the center of the Capital.

At present the airport being used here accommodates 144 scheduled landings and take-offs every 24 hours, making it already the third busiest in the country.

Mr. Chairman, I desire to touch briefly on another item in the pending measure. It is the amount which is to be appropriated for domestic air mail in this country, under which we shall have the expansion of the air mail pick-up system.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Indiana.

Mr. LUDLOW. Mr. Chairman, I asked the gentleman to yield at this point because I want the RECORD to show that the gentleman from West Virginia [Mr. RANDOLPH] is entitled to a distinctive place in the aviation history of our country. He is the father of the air mail pick-up service. It was through his splendid initiative and farseeing vision that this service was originally established on an experimental basis. As the chairman of the subcommittee of the Appropriations Committee dealing with post-office appropriations, I early came under the spell of his persuasive influence. Years ago when the idea of a pick-up service was regarded as more or less fantastic the gentleman from West Virginia was its faithful and determined sponsor. He stuck to his guns and prosecuted his plea with such force and impressiveness that the Congress eventually provided funds to test it on an experimental scale. The period of test ended last May at which time the value of the service had been so well and conclusively established that the Post Office Department formally endorsed it as a regular and permanent postal activity never to be abandoned, and to be extended as wise administration and the national finances would permit. It is a wonderful and successful service and when we contemplate its promising future we may very properly pause to pay our tributes in the annals of Congress to the gentleman from West Virginia [Mr. RANDOLPH] as the father of the pick-up service. [Applause.]

Mr. RANDOLPH. The gentleman from Indiana is very kind. I am sure his words are undeserved, but I do appreciate his thoughtfulness and graciousness in calling attention to my efforts in connection with the air mail pick-up system.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 1 additional minute to the gentleman from West Virginia.

Mr. RANDOLPH. Mr. Chairman, under this system we are going to serve approximately 150 cities and communities of the United States served by the air mail pick-up system. Prior to the proving of this system we had just a few major cities served by air mail through the regular channels of transport lines which have access to airports. Now we have this new service in some seven States. In this method of operation you will recall that the plane swoops down, drops the mail for delivery, and picks up the outgoing mail. No airport is needed. Thus hundreds of communities in this country where the terrain will not allow the construction of airports or where the local communities do not have the money for construction are going to receive the benefits of this pick-up service. I ask all Members of this body for active support in seeing that this service is not limited to 150 communities, but that eventually it will spread to 1,000 and possibly 2,000 communities that the people at large may be served by this great boon to aviation in the United States. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise,

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 10539, the supplemental civil functions appropriation bill, 1941, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. COX. Mr. Speaker, I ask unanimous consent that on tomorrow, after the completion of the legislative program for the day, I may be permitted to address the House for 30 minutes, speaking to a resolution I shall then offer ratifying the action of the President in acquiring certain air bases.

The SPEAKER. With the understanding that the gentleman's time will follow other special orders heretofore granted, is there objection to the request of the gentleman from Georgia?

There was no objection.

FIRST SUPPLEMENTAL CIVIL FUNCTIONS APPROPRIATION BILL, 1941—RULE

Mr. SABATH, from the Committee on Rules, submitted the following report on the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes, which was read and referred to the House Calendar and ordered to be printed:

House Resolution 609

Resolved, That during the consideration of the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes, all points of order against the legislative provisions of the bill are hereby waived.

Mr. SABATH. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 609.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Resolved, That during the consideration of the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes, all points of order against the legislative provisions of the bill are hereby waived.

Mr. SABATH. Mr. Speaker, this is a special rule waiving points of order against certain legislative provisions in the bill H. R. 10539, the supplemental civil functions appropriation bill, 1941.

Mr. Speaker, I have no desire to take up the time of the House, but I do yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed out of order for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, there is no apparent objection to this rule that makes in order certain provisions of the first supplemental defense appropriation bill for 1941. The words "first supplemental civil functions appropriation bill" are sort of new terminology to me. It probably means a deficiency bill under another name, it is a sort of alias for a deficiency bill. A rose by any other name smells just as sweet, and a deficiency bill under any other name smells just as rotten; but as far as I know there is no objection to the rule making these provisions in this bill in order.

Mr. Speaker, I have taken these few minutes not to defend myself on the floor but rather to defend the 207 Members—140 Republicans and 67 Democrats—who voted for the amendment I introduced allowing 60 days in which to give volunteers an opportunity to enlist under the conscription bill. Every Member of Congress, whether for or against my amendment and regardless of its merits or demerits—and I agree they are all honest men and women—knows that my amendment would not have delayed the draft by a single hour or a single minute. I provided for 60 days for volunteers on a call to be issued by the President so as not to interfere with the draft; otherwise I would have provided 90 days, which was my preference and more desirable. A provision was written into my amendment that nothing in the subsection should interfere with the registration, classification, or induction into service of any of the draftees. Nevertheless, the New York and Washington newspapers deliberately falsified my amendment and carried large headlines perverting the truth, stating that it would delay the draft by 60 days.

As all Members of Congress know, under the draft law no one is to be called into service before November 15. This has since been changed to delay it another 2 weeks. There would not have been a minute's delay under my amendment. The call by the President for volunteers would have gone out and 400,000 might have volunteered in advance of November 15. It would have expedited enlistments but not possibly delayed it.

Mr. Speaker, I make this statement, not in defense of myself but in defense of a majority of the Members of the House who may be maliciously and viciously attacked because of their vote for my amendment on account of the deliberate lies that have been carried in the big eastern interventionist newspapers. I had two opponents in a primary election only last Tuesday. I made no campaign for myself in spite of the deliberate falsehoods in the eastern press and in some of the papers in my own district. I spent $88 for postal cards and $50 for workers and cars. I had two opponents against me, both of them benefiting from the falsehoods about my amendment, which the New York press stated would delay the draft. I made only one radio speech in my district, yet I carried the district by a vote of 10 to 1 in the primaries against these two opponents. I have not taken this time to defend myself but to keep the record straight on my amendment, and to defend the record of this House. I have from the very beginning, and I shall continue to lead the fight to keep America out of foreign wars unless we are attacked or the Monroe Doctrine is violated. If this be treason to the Amerian people let the interventionists and warmongers make the most of it. I received something like 7,500 votes, while my two opponents received approximately 700 votes each. I say to you Members who voted for my amendment that you have nothing to apologize for; a majority of this House on two occasions voted for it. It did not provide for a single day's delay, and I want it to go in the RECORD that these New York newspapers deliberately and maliciously falsified the truth and perverted it for their own selfish purposes. My amendment might have resulted in securing 100,000 or 400,000 volunteers weeks in advance of the induction of a single draftee.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. ENGEL. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. ENGEL. May I say to the gentleman that the day after the Fish amendment passed in the Committee of the Whole I called the attention of the House to the speech made on the floor of the House by the gentleman from New York [Mr. WADSWORTH] who introduced the bill, in which he opposed the Fish amendment. He said not one word about delay. On the contrary, his opposition to the Fish amendment was directed to the fact that that amendment would bring volunteers to the Army so fast that the Army could not handle them. If that be true how could we have delay?

Mr. FISH. I am very much obliged to the gentleman. This is simply a matter of getting the record straight. It has nothing to do with the merits or demerits of the proposition.

It was further stated in the New York papers, and this is a direct attack on every Member of the House of Representatives, that the 60 days' alleged delay was aimed to carry it over election day, that it had to do with politics, and with votes. It was just another contemptible lie. The 60-day amendment was put in so that it would not interfere with the draft and had nothing to do with election day. I am not a rubber-stamp Member of Congress and even my bitterest opponent has never questioned my political independence or courage. This is my answer to those false charges and also to uphold the prestige, dignity, and honor of the House. I have faith in our free institutions and representative form of government, and I believe in the loyalty of the Democrats just as much as I do the Republicans in maintaining a decent respect for majority rule and the right of the Congress to legislate without being denounced and misrepresented in the eastern interventionist press. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I cannot resist congratulating the gentleman upon his renomination. I presume his renomination was brought about mainly because he has supported the President's program of national defense and preparedness. The gentleman has been loyal and has cooperated with me in the Rules Committee in support of all rules that would tend to hasten the preparedness and defense program.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

FIRST SUPPLEMENTAL CIVIL FUNCTIONS APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10539) making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further cosideration of the bill H. R. 10539, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, first of all, may I say that I am gratified to find in this bill there are carried appropriations for the payment of the Philippine travel pay, a matter which has been of great interest to many of the veterans of the Spanish-American War for many years.

I want to say a few words about the paragraph in the section relative to the National Labor Relations Board which would require the abolition of the Division of Economic Research.

It is clear as crystal that it is now more important than it ever was for Congress to exercise the most careful scrutiny over the expenditure of the money it appropriates. In a previous appropriation bill, I understand, a cut was made in the N. L. R. B. appropriation, and that in the report it was stated that this was intended to bring about the abolition of the Division of Economic Research. I understand further that such a situation has always been taken by executive agencies as evidence of the intent of Congress, but that in this case it was not so taken. I realize there is something important at stake here; and although I think the abolition of this Division is a mistake and have opposed it, I am frank to say I do not see what else the committee could do under the circumstances except to specifically write into this bill the instructions which undoubtedly represent the views of a majority of the House.

So I shall offer no amendment, although as I say I do think this action is a mistake in judgment. I think it is a mistake, first, because I believe that that division is important to the effective and proper functioning of the Board in the discharge of its duties. I think Members will find that to be true if they examine the work that has been done there or if they consult the organizations that have been affected by the work of the Board, such as the American Federation of Labor.

I realize, as I have pointed out this afternoon, that there can be no question with regard to the relationship of Congress to an executive agency, or the right of Congress to determine how the money it appropriates shall be spent. On that point I will say that generally I am in hearty agreement with those who have taken the position that executive agencies ought to carry out the intent of Congress carefully and cooperatively. I do want to say, however, that in this case there are certain other considerations that are important.

I presume, although I do not know, that there are Members of the House who are still laboring under the impression that the head of that division, Mr. Saposs by name, is a man who is subversive and a Communist. I say to the House that that simply is not true, that, on the contrary, the one group of people in this country who will be most delighted if this division is abolished and if Mr. Saposs is gotten out of the National Labor Relations Board are the Communists themselves, and that, as a matter of fact, due to his knowledge of the labor movement and all related fields, he is now and has been one of the most effective opponents of communism or the Communists in any form that we have. I am not meaning to say that I stand sponsor for Mr. Saposs' ideas, nor that I would agree with him on many things. But I believe that the fundamental test is the test of a person's loyalty, the test as to whether his first loyalty belongs to the United States of America without question of a doubt, rather than what his particular views on particular questions may be. There is no doubt that he passes that test, nor is there any doubt that he is one of the most effective opponents there is in this country of those who do not pass that test.

Mr. ROUTZOHN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. ROUTZOHN. May I recall to the gentleman the fact that the majority of the committee did find him to be subversive and that in the minority report it is the one thing upon which the minority did not disagree with the majority.

Mr. VOORHIS of California. I do know that but I wonder whether the committee ever examined him and gave him an opportunity to state his own case. Did they?

Mr. ROUTZOHN. I can answer that. We not only did that, we had him up just the other day again on an examination which proved conclusively that he is a Communist. Besides that, we had his writings which cannot but convince anyone that he has been communistic for a great many years.

Mr. VOORHIS of California. I know about the argument that has taken place regarding some of those writings. I do not agree with them, but I do think it is true that in one case, most frequently quoted against Mr. Saposs, he was not stating his own views at all but he was reporting on the views of a group with which he himself was in sharp disagreement.

I do not propose to enter into a controversy with the gentleman and if the gentleman feels it is the thing to do, it is all right with me, but I do say that what I said is true, that if you do this thing the Communists of the United States will be delighted at the move that has been made.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, while the gentleman from Pennsylvania and the gentleman from Missouri were indulging in their discussion with respect to matters and things, I had in mind making a speech superinduced, as they say medically, by the situation that then obtained. I have got more or less over being excited and mad since that time, nevertheless I do want to say that this bill, which is an attempted alibi and a poor excuse for a deficiency bill, has no more business before the Deficiency Committee than a polynesian amazon would have in Aztec, Mexico, on Christmas. It is no more a deficiency bill than I am; as such it absolutely is not.

It contains so many items which have been directly or indirectly presented to the regular subcommittees of the Appropriations Committee, which proves it not to be a deficiency, and/or turned down as to be almost innumerable, or else have not been presented at all, and they are now presented to this so-called deficiency committee, who are doped or misled into a sense of permitting the enactment thereof into law. They are fooled into approving appropriations that the progenitors and proponents would never dare to present regularly to the lawful and legislatively authorized subcommittees of the Appropriations Committee.

None of us submerged and junior members of the Appropriations Committee are jealous of the ability of any of these members who constitute the so-called and self-constituted deficiency committee by reason of the fact that they are chairmen and ranking members. There is no man on this floor who holds in higher respect the ability of any of those men than do I. But after I have spent 11 months and 10 days down here studying a particular matter, for them in a week to go over my head and approve something which after 11 months and 10 days of study I have said was absolutely no good, is nothing short of an insult to my supposed intelligence; and I am telling them, whether anybody else dares to or not, that I represent the substantial sentiment of all those who are not ranking members of the Appropriations Committee, whether they like it or not.

All this talk in another body about conference committees and their usurpation of legislative prerogatives is inconsequential when one takes into consideration what the ranking members of the Appropriations Committee, as an alleged deficiency committee, are doing or undertaking to do to their associates on that committee under the silly and easily discernible alibi of "deficiency." Deficiency! Bologny!

The name of the bill condemns it. It is neither deficiency, fish nor fowl, nor red herring, and never a deficiency.

If the House Appropriations Committee is top-heavy, reduce the number of members. If all the brains are to be found in those who by reason of service happen to be at the top, then let us make the most and best of it. Let us stop this useless waste of time by men sent to Congress who have tried for 11 months to help do the work of the Committee

on Appropriations and of Congress to eventually be ignored because somebody who could not get their pet measures considered by them has appealed to—and deliberately so—this misnamed, overofficious, and parliamentarily irregular, as well as legislatively illegitimate deficiency committee.

If that is treason, make the most of it. The people should know, and will if it takes me till doomsday to iterate and reiterate this statement, which, after all the trimmings and oratory are discounted, cannot be controverted, as everybody not on the so-called deficiency committee can substantiate.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I was very much interested in the little argument between the gentleman from Missouri [Mr. COCHRAN] and the gentleman from Pennsylvania [Mr. RICH] regarding the Presidential veto of the 3½-percent farm loan interest bill. On the day that that veto came before this House, by which the President vetoed the reduction of the interest rate on the Federal land-bank loans to 3½ percent there passed through this House a bill which made appropriations and provided for the purchase of land for the farm tenants under the Farm Tenant Act. That bill provided for a 3-percent interest rate. I called attention in the House at that time that in the Farm Tenant Act—under which, by the way, loans are made of 100 percent of the value of the farm at 3 percent—the President was trying to make farm owners out of farm tenants, and by vetoing the 3½-percent rate bill he was making farm tenants out of farm owners.

I want to discuss here today, in the few minutes allotted to me, the question of the C. C. C. appropriations. In doing so I want to emphasize the fact again that I am not opposed to the C. C. C.

The subcommittee of the Appropriations Committee, which had that bill under consideration, worked very hard. They came out with a unanimous report, 4 Democrats and 2 Republicans, on this item and every other item in the C. C. C. bill. In 1939 the C. C. C. had an authorization of 300,000 men with approximately 90 percent of the enrollment filled, or 270,000 men actually enrolled, 10 percent being usually unfilled through enlistments, and so forth. They asked for $1,000 per man, $600 of which went for pay, subsistence, clothing, and doctors' bills, and the other $400 going for overhead. If the House intended, as I believe they did, by increasing the amount on the floor, to put the bill back where it was in 1939, they would have put it back to the actual enrolled strength of 270,000 men, which at $1,000 per man would have required $270,000,000. The House increased the amount to $280,000,000, $10,000,000 more than was necessary to carry on the whole program on a 1939 basis. In doing so they threw the bill out of balance and added more to pay and subsistence items and less on the overhead item. The subcommittee, in considering this original appropriation, and after careful consideration, was unanimously of the opinion that we ought to give them the $600 per man for pay, subsistence, and clothing allowance, but felt that the $400 per man was too much for overhead and that the extra money ought to go to the boys themselves. We therefore cut the overhead from $400 per man down to $350 per man, and put the balance of that money into the pay and subsistence item. I submit that that was a fair adjustment between the pay and subsistence item and the general overhead item in this bill.

Now, this deficiency committee comes back, Mr. Chairman, and restores that item to $400 per man to where it was before. They put in the $600 per man for the pay and subsistence item, and put back $404 per man for the overhead item in the face of the committee adjustment of $350.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman from Michigan 5 additional minutes.

Mr. ENGEL. I want to call attention to the way they have juggled those figures in 1939. For instance, we gave them for repairs and alterations about $8,000,000, and they spent $15,000,000. Of course, it was put on a 1,200-camp basis, and they should have a proportionate increase, of course, but they used more than double the amount they justified on a 1,200-camp basis, when this was only a 25-percent increase in camps.

At that time, Mr. Chairman, in speaking on the floor of the House, I called attention to the fact that they had 32,406 civilian employees, most of whom were political, and a great many of whom were appointed from the Friant list. A person can only get on the Friant list by having the endorsement of a Democratic Congressman. I also called attention to the fact that these 32,406 men received $58,234,711 in salary in 1939.

I want to read you what I said on the floor of the House at that time:

> The C. C. C. has been a sacred cow. While the people have worshipped the cow the politicians have milked her. Thirty-two thousand four hundred and six civilian employees, most of whom are political appointees, will receive this year $58,234,711 in salaries, while 270,000 C. C. C. enrollees and their families will receive $101,185,200 in pay. I am not opposing the C. C. C. I am just trying to stop the politicians from milking the sacred cow.

I thought we had stopped the politicians from milking that sacred cow, but, apparently, under this bill, in an election year, they are going to keep right on milking her. I presume it is too much for a Republican to ask a bunch of New Deal Congressmen up for election to stop milking that sacred cow in an election year. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, the gentleman from Pennsylvania [Mr. RICH] was very much concerned a while ago with the item carried in this bill of $38,000,000 to ease the interest load on the farmers of this country because the bankers would get the money. The gentleman from Pennsylvania is always bringing up questions of money. I am sorry he is not in the Chamber now. I wonder if he ever makes a study of the daily balance sheet issued by the Treasury Department giving us the figures on silver and gold and money in this country; and something which does not appear on the sheet but which we all know about, the interest that the bankers are collecting as a price of circulating the bulk of our currency. By examining the Treasurer's statement of September 18 we find there are gold certificate funds, Board of Governors, Federal Reserve System, $15,940,855,670.77. Fifteen billion dollars in gold which we are storing in Kentucky and for which the Federal Reserve System holds warehouse receipts. Does that money belong to the Government or does it belong to the Federal Reserve? It is the basis of our currency. Circulating as money against that hoard of gold, in the form of Federal Reserve notes and Federal Reserve bank notes we find as of August 31 there are $5,355,345,031. We are circulating in currency against that hoard of gold only about one-third of its value in money.

I would like to have the gentleman from Pennsylvania [Mr. RICH], when he is complaining about the bankers getting this money that is appropriated to relieve the interest load on the farmers, explain to me how any dollar of Federal Reserve notes will circulate unless some firm or individual pays the interest to support and keep that money in circulation. That is the system we are working under, and that is the interest income that the bankers are drawing from the circulation of money in this country. Let anybody explain to me how any dollar of Federal Reserve notes can circulate unless somebody pays interest all the time it is in circulation. Let the gentleman from Pennsylvania [Mr. RICH], if he is so solicitous about the money that is being drawn out of business to pay the bankers of the country, study the daily financial statements of the Treasury and help us work out some workable money system that will relieve business and the people of this country of this huge interest load.

I want to refer the gentleman from Pennsylvania [Mr. RICH] to another item of the Treasury statement, and that is the item of silver about which he makes so much complaint. We find there are silver certificates outstanding as of September 18, $1,841,096,901; almost $2,000,000,000. When we add the silver dollars in circulation making about $2,000,000,000 of silver money in the tills and in the pockets of our people in

the form of $1, $5, and $10 silver certificates, good legal tender money. And, remember, members of the Committee, that that money circulates free of interest and does not cost the Government a dime except the cost of printing the silver certificates. That is the big item. That is the objection to silver money—it does not pay the banker interest and displaces the equivalent in interest-yielding Federal Reserve currency. That is the reason they are so solicitous about discarding silver and increasing the interest load on the American people. As against the interest paid on Federal Reserve notes as the price of circulating money in this country, what is $38,000,000 carried in this bill that will ease the interest load on the farmer? Talk about the bankers getting interest; they are getting the farms. In a great many agricultural States in this country half the farms are owned by the insurance companies and the banks and the farmers who have developed those farms are mere tenants.

Let us continue this item. Let us pass this bill and ease the interest load on our farmers. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman is recognized for 24 minutes.

Mr. TABER. Mr. Chairman, this bill carries a lot of money, something like $300,000,000, including direct appropriations and contract authorizations. A large portion of it is alleged to be for national defense. Actually, with the exception of a few dollars for the Coast Guard, there is none of it for national defense.

It calls for something like $40,000,000 for the vocational-training outfit and the Bureau of Education, to set up vocational training for men who might work in industry. It provided thirty-odd million dollars for the N. Y. A. That is perhaps the most ridiculous performance of the whole lot. [Applause.]

I call attention to page 26 of the supplemental hearings, where a break-down is given of the operations that they propose to perform with that $30,000,000. It runs something like this: For pay of students or people who are enrolled, $11,000,000. For pay of supervisory employees, $4,800,000, indicating that it is proposed to set up at least one supervisory employee for every five employees, a most ridiculous situation.

Then in spite of the fact that they have stated to the committee that they have entered into an agreement with the vocational-education outfit that they will not go into training, they propose to spend $8,000,000 of this $30,000,000 for construction and equipment of factory stuff. The two stories do not go together and it presents a set-up of the most ridiculous waste and extravagance.

If we are going to escape from the present situation which we are in, with reference to national defense, it is time for us to begin to conserve.

It is time for us to stop foolish appropriations and begin to sift out the things that are most needed. Otherwise we are not going to be able to carry this country through. My own experience is that these boys who have been to the N. Y. A. and the C. C. C. are totally unfitted for anything when they get out and that their effectiveness and productivity is practically ruined. We have gone about working out of this depression trying to make everybody dependent upon the Government rather than urging them to work out of it by their own efforts. The further we go in making people dependent on government, the worse off the country becomes, because there has never been any way out of a depression except that of the people working harder and harder and putting more of themselves into the effort. The more we encourage reliance on a way that is absolutely nonproductive of anything toward national defense, the worse off we are going to be.

Something like $30,000,000 is provided to embark upon a program of constructing airports all over the country, and the propaganda that has been designed is something like this: A proposal for 4,000 airports and reconstructed airports, and they have knocked them around the country in such fashion that there will be two or three, and maybe four or five, in every congressional district, so that we shall be sufficiently deluded that we shall think we are going to have an airport in our own district; but we are not. The whole program before they get through with it would cost something like a billion dollars, and things are not going to be so that a billion dollars can be available for that performance.

Then, again, it is under the direction of the C. A. A. You will remember they had charge of supervising airports under the W. P. A. and the P. W. A. Amongst others, they had charge of this one across the river. This one across the river is probably as good an example as any. Before it is through it is going to cost something like $18,000,000. The joint board that investigated the proposition of locating an airport near the District of Columbia chose the Gravelly Point site and itemized what it would cost. Their total was around $4,800,000. It is costing only from four to five times as much as it ought to under the direction of this outfit. They are not the people to do this kind of work, anyway, and we are not going to reach anything like the goal we should reach under their management.

It has been said there are only a few airports capable of accommodating the big bombers, 36 I think. We have not many of the big bombers. Outside of those that are on the carriers, my understanding is that at the present time we have something like 60 or 70. If we do not give them away before then we may have 150 in another year. We are not suffering very badly from the standpoint of space to put those bombers or for them to land on.

There are at the present time all sorts of schools for flying. Our pursuit planes can land on thousands of fields. Even the big bombers can land on grass fields in probably 300 or 400 places, because it only takes a little less than 3,000 feet for them to land on grass rather than concrete. I do not believe we are justified at this time in going on with that program under that outfit.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mrs. ROGERS of Massachusetts. Can the gentleman tell me if sites have been selected in the various districts where the airports will be located?

Mr. TABER. No; they have not been selected. There was presented to the committee a list of 4,000 places where airports either existed or might exist, and an estimate of the Government's portion of the cost of airports in these places.

Mrs. ROGERS of Massachusetts. Is that list in the hearings?

Mr. TABER. Anyone who wants it can obtain it from the Civil Aeronautics Authority.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. Are the reconstructed airports to be made suitable for the landing of the bombing planes, or are they simply to be enlarged to accommodate such planes as are in use at the present time?

Mr. TABER. I should think that out of those that are not now able to accommodate big bombers on concrete runways, probably 30 or 40 were projected to be large enough to do so. It is not proposed to make the majority of the airports large enough for anything of that character.

Mr. CRAWFORD. One additional question if the gentleman will permit: Is it intended to reconstruct the present operating airports in such manner that most of them will accommodate these large passenger ships, the ships that carry from 14 to 21 passengers?

Mr. TABER. No; it is not. I should say that in the matter of class 3 airports it is proposed to make probably 75 of them large enough for that purpose.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RABAUT. Will not the gentleman explain the four types of air fields?

Mr. TABER. Yes. There are four types of air fields. One is a very small type with runways about 1,800 feet in length.

Mr. RABAUT. And they are grass-covered fields.

Mr. TABER. On the other hand most of these fields can be extended to provide runways of 2,500 feet by placing the runways in diagonal directions.

Class 2 airports are supposed to have runways 2,500 feet in length. I imagine most of those would run 3,000 feet or perhaps 3,500 feet. Then class 3 would be the type that would accommodate the passenger planes carrying 10 or 12 passengers. I would hardly think they would be good enough for the largest plane that flies. The class 4 type would be confined to the very largest places and would have runways of 5,000 feet.

Mr. RABAUT. And multiple runways.

Mr. TABER. Several of them, so perhaps more than one plane could land and take off at a time. There would not be so many of those. They would be the only ones that really could be sure of handling the big bombers on a concrete runway. But on a grass runway I think most of the class 2 outfits would take care of them in moderate weather.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. In connection with those airports, is it provided that underground hangars be built where they may be protected from bombing?

Mr. TABER. No. That has not been discussed at all before our committee and I do not think the proposition is as important here as it might be farther away from us. The only approach that an enemy bomber might have to us would be from a carrier and our defense against them would be largely pursuit planes. There would not be very much chance on most of these fields of an enemy bomber getting in.

Mr. WHITE of Idaho. They do have underground hangars in Europe and in England, do they not?

Mr. TABER. Yes; but their situation is altogether different from ours. The distances over there are so short you could cross any of them while you are going across the State of Pennsylvania.

Mrs. ROGERS of Massachusetts. Has it been considered in connection with this appropriation—Fort Devens, a very fine field, and they also could have underground hangars there?

Mr. TABER. No Army airport has been considered for anything in connection with these civil airports, and should not be because the Army should be given complete authority and control over its own set-up. It would be a great mistake for anybody to attempt to take the Army airports away from them.

Mrs. ROGERS of Massachusetts. Could some of this money be used for those airports?

Mr. TABER. There is plenty of money for the Army for its own airports.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman some time ago, in a conversation with his colleagues, mentioned a list of proposed sites.

Mr. TABER. A mimeographed list of proposed sites was presented to the committee containing, as they said, 4,000 places. I did not add them up so I would not guarantee it.

Mr. VAN ZANDT. May I ask the gentleman where we could get such a list?

Mr. TABER. From the Civil Aeronautics Authority. I think they have it available. It is a public document at the present time, because it was submitted to us. We did not publish it due to the fact it was so voluminous we did not feel justified in doing so. It is over at the committee room and is a part of our file of hearings. I am sure it is available to anyone who wants to see it there. The Commission would probably be glad to give the gentleman a copy. It is entirely civil, nothing else.

Mr. Chairman, I want to take up two or three other things. An application was made to us for funds for enforcement of the Hatch Act. An allowance was made along these lines of $10,000 to the Department of Justice and $100,000 to the Civil Service Commission. The Department of Justice had no cases and the Civil Service Commission had had six, with one now pending. How important they were the Commission could not say.

In the Department of Justice this is under the direction of O. John Rogge, who is in charge of the Criminal Division of the Department of Justice. At the time the hearings were being held I called attention to the fact that no indictments had been attempted by Rogge in Louisiana against these W. P. A. fellows who built W. P. A. activities on private property, who operated on the asphalt contracts, limiting the operations to one bid, who helped remove streetcar rails for the benefit of a public-utility corporation, who built a maintenance garage without authority of law, who worked on the yacht-basin project, who worked on everything else except the projects that they were supposed to be working on, and who worked upon the development of an amusement park that was operated by a private concessionaire, entirely in violation of the W. P. A. statute. There were a great many other projects down there that were irregular, and certainly some of them were bad enough so that some of these fellows who were in charge of the W. P. A. should have been given a twist before the grand jury in Louisiana. Nothing of that kind was done.

Amongst other high points in Mr. Rogge's record is the continued suppressing of the 22 indictments for internal-revenue tax violations in New Orleans, which have been hanging for 4 or 5 years. There is also the delay in the trial of indictments of W. P. A. in Indiana. There is also the freeing of 125 who were indicted by a Federal grand jury for violation of section 28 of the Emergency Relief Act in Minneapolis last February.

I hesitated to vote to give money to this man for anything else. I feel that the record of the Department of Justice in connection with the prosecution of indictments and the bringing of offenders to justice has been such that it does not merit the confidence of the people. I am sorry to have to take that kind of a position, but that record has been rather continuous, it has been rather persistent, and it has been disgusting to one who believes in fair enforcement of the law.

There is another item here for the Federal Communications Commission involving $125,000 for operating on the telephone outfits. They claimed to us that they had authority to regulate telephone rates. As I read the statute this authority does not exist. They are only given authority to stipulate rates in case of a consolidation, under my interpretation of the statute, and I am disappointed to find that what they told us there does not seem to pan out.

Then there is $137,000 for the Bituminous Coal Commission, just to give them a little more money to spend. This outfit has not accomplished anything, and I believe it is a menace to the coal industry. All in all, I do not believe there are very many items in this bill that really should receive the approval of the Congress. I do not know to how many of them I shall offer amendments, but I will start in and get as far as I can in trying to clean up some of the situations that have developed.

When we bring in a bill for nearly $300,000,000 at a time when we are all stretching ourselves out of shape and voting for national defense tremendous items, when we really are not sure they are needed, but are doing it in order to be sure that nothing can happen to the country, we should not be reaching out and trying to build up activities which have no excuse for their existence. I hope there may be some spirit of economy on the part of the House as these amendments are offered. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I do not believe there is a Member of the House, and certainly no member of the committee, who works more diligently, who goes more thoroughly into the facts, than the distinguished gentleman from New York, my colleague, the ranking member

of the Committee on Appropriations. He is always informed. He is is always fair, and he is always accurate. However, this once, "even Homer nods," and by a remarkable exception to the usual rule I find that, in addition to the remarks he has just made, the gentleman from New York on September 13, on page 12118 of the RECORD, said:

Mr. Speaker, I notice by the Treasury statement that is available this morning the expenditures for N. Y. A., C. C. C., and the W. P. A. are now running at a rate higher than a year ago, in spite of the fact that employment figures went up net in June 250,000 in July 100,000, and in August 250,000.

Now, unfortunately for the acceptance of these comparative statistics, I have here the daily statements of the United States Treasury for those dates cited by the gentleman, and find that while he is eminently correct in his statement that employment figures have been going up steadily, 250,000 in June, 100,000 in July, and 250,000 in August, through some error he has mistaken the relative amounts expended for these purposes for the present year as compared with last year. For example, here is the daily statement of the Treasury for July 31, 1940, which shows that total W. P. A. checks paid during July 1940 amounted to $110,124,000. This figure, instead of being more than the comparable figure for the previous year, was $39,224,000 less than in July 1939.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. If the gentleman has with him and available the statement of September 13, if that was the day to which I referred, he will find that the current monthly expenditures for all three of those outfits for the month of September were higher than they were the previous September. I believe the gentleman will find that. I know I did when I looked at it.

Mr. CANNON of Missouri. In response to the gentleman's suggestion, here is the statement of September 13, 1940. The Works Progress Administration expenditures, according to the daily statement of the Treasury Department as of September 13, 1940, were $45,684,959.46, and on the corresponding day of the previous year, 1939, they were $46,863,677.17; in other words, $1,178,717.71 less this year than last year.

Mr. TABER. Is the gentleman referring to the year's figures or the month's figures?

Mr. CANNON of Missouri. I am referring to the comparative analysis of receipts and expenditures, September 13, 1940, from the Treasury Statement for the Works Progress Administration.

Mr. TABER. I believe if the gentleman would look at the monthly figures he would find that my statement was correct for the current month. That is what I was referring to.

Mr. CANNON of Missouri. The Treasury's statement here is not broken down by months but that is immaterial. The real question at issue is whether the gentleman's statement indicates increasing expenditure when, as a matter of fact, expenditures are decreasing. The actual statement here shows that in each of these instances the amount spent this year was materially less than the previous year, instead of being more than the previous year, which was the impression the gentleman had. In other words, on all these items we are constantly decreasing expenditure and at the same time employment figures are rising. We are keeping faith and redeeming pledges to take up the slack in unemployment and at the same time W. P. A. is keeping faith by consistently reducing expenditure.

Then the gentleman makes this statement in his remarks:

They are trying to frame the thing up so that these three incompetent outfits can be a refuge for all draft dodgers.

Of course, we all know that employment in either the W. P. A., the N. Y. A., or the C. C. C. will not exempt anyone from the provisions of the Selective Training Act of 1940. So the gentleman is certainly as much mistaken in that unfortunate statement as in his comparison of annual expenditures. These activities cannot be a refuge for draft dodgers because men employed in any of them are still subject to every provision of the Selective Training Act. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For an additional amount for salaries and expenses, Federal Communications Commission, including the objects and subject to the limitations specified under this head in the Independent Offices Appropriation Act, 1941, $125,000: *Provided*, That the limitation in such act of $1,246,340 which may be expended under this head for personal services in the District of Columbia is hereby increased to $1,350,000.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On pages 4 and 5, after line 20, on page 4, strike out lines 21 to 25, and lines 1 to 4, inclusive, on page 5.

Mr. TABER. Mr. Chairman, this is the item for the Federal Communications Commission to which I referred when I was up here before. It was turned down by the regular Independent Offices Committee last winter. It was turned down by the Deficiency Committee on two occasions, and still it is back here.

When the members of the Commission were up in front of us they told us they were charged under the law with the regulation of telephone rates. The provision with reference to that is section 221 of title XLVII of the code, and it provides that in cases of consolidation the Commission will be required to approve of the rates before the consolidation can go through. However, it does not give the Commission the right to have control over the rates. Under the circumstances, it looks to me as if money was secured from the committee under false representations. I do not believe they need it. They already have a very large number of employees on the roll, 40 or 50, working on telephone operations. Under the circumstances, I believe we ought to save $125,000 and throw out this item. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, referring to page 28 of the hearings where we had an outline of the act inserted, section 205 charges the Commission with the duty of prescribing just and reasonable charges for telephone companies and other common carriers and the situation is simply this: The organic law places upon the Federal Communications Commission a specific duty with reference to telephone rates and Congress, except when special funds were given for a special investigation, has never given them any personnel or any funds to carry out these duties. This is a very small amount and a very small set-up to perform very important duties, and I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 21, noes 37.

So the amendment was rejected.

The Clerk read as follows:

Such act is further amended by adding after the last sentence under such heading the following:

"Notwithstanding the limitation herein on expenditures by the Office of the Director within the District of Columbia, the Director, Civilian Conservation Corps, in administering the funds herein appropriated is authorized, with the approval of the Federal Security Administrator, to fix the amount of and to transfer to the Office of the Director the funds necessary to carry out the functions transferred, with the approval of the Federal Security Administrator, from cooperatiing agencies to the Office of the Director."

Mr. BROWN of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. BLAND). The gentleman will state it.

Mr. BROWN of Ohio. Mr. Chairman, lines 20 and 21, on page 5, seem to indicate that the amount in this section has been reduced. Can that be correct and proper, or is it a typographical error?

Mr. WOODRUM of Virginia. If the gentleman will yield, it is not a reduction in the amount of the funds, but is a reallocation of the funds.

Mr. BROWN of Ohio. That answers my question. I thought it could not possibly be a reduction of the appropriation. I have not seen anything like that since I have been in Congress.

Mr. WOODRUM of Virginia. There are many places where there ought to be reductions, but not in the Civilian Conservation Corps, I would say to the gentleman.

Mr. BROWN of Ohio. I thank the gentleman.

The Clerk read as follows:

Cooperative vocational rehabilitation of persons disabled in industry: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry," approved June 2, 1920, as amended, $319,500.

Mr. LUDLOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUDLOW: On page 10, after line 18, insert a new paragraph, as follows:

"No trainee under the foregoing appropriations shall be discriminated against because of sex, race, or color, and where separate schools are required by law for separate population groups, to the extent needed for trainees of each such group, equitable provision shall be made for facilities and training of like quality."

Mr. LUDLOW. Mr. Chairman, the amendment I propose has the support and, in fact, was initiated by the Federal Security Agency, and has approval of the Council of National Defense and of the Budget Bureau. It would provide in respect of the trainees who are to be recruited under these two activities, the Office of Education and the National Youth Administration, the same freedom from discrimination that is contained in the conscription law. If this provision is not inserted in the present law you will have one provision with reference to the draftees under the conscription law and a lack of the same provision in its application to the training under this act.

I have here a letter from Mr. Wayne Coy, Acting Administrator of the Federal Security Agency, sent to me a few moments ago, which I would like to read:

FEDERAL SECURITY AGENCY,
Washington, September 23, 1940.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: This is in answer to your request for advice as to the attitude of this agency toward the incorporation in the provisions for an expanded national-defense program the following:

"No trainee shall be discriminated against because of age, sex, race, or color, and where separate schools are required by law for separate population groups, to the extent needed for trainees of each such group equitable provision shall be made for facilities and training of like quality."

It is the position of this Agency that such a provision as the one quoted above is highly desirable. The language of the provision is such as not to in any way interfere with the proposed training program, and makes it clear that the training program for national defense will be in no way warped by any discrimination because of age, sex, race, or color. It further appears to follow the labor policies recently published by the Advisory Commission to the Council of National Defense.

I am advised by the Director of the Bureau of the Budget that this proposed amendment would not be at variance with the program of the President.

Sincerely yours,

WAYNE COY,
Acting Administrator.

I think the proposed amendment speaks for itself. As I say, it has the backing of the Federal Security Administration, and it also has the support and approval of the Advisory Commission of the Council of National Defense, which finds it to be in harmony with its labor policy; and of the Budget Bureau, which finds it to be in harmony with the program of the President. It injects no new policies into the administration of our laws but merely makes this act in respect of training conform to the policy already determined upon by Congress in respect to conscriptees under the new Conscription Act. I respectfully ask the Committee to adopt the amendment.

I am happy to offer this amendment because it gives to the colored people of our country an assurance that there will be no discrimination against them in training for national defense. In every war in which our country has engaged Negroes have responded to the call of our country and have demonstrated their loyalty and devotion in every way. Now that our beloved country is face to face with another emergency, they are manifesting the same spirit of patriotism that has guided them in former crises of our national history, and the amendment I have offered would remove racial barriers and guarantee their right to serve. [Applause.]

The amendment was agreed to.

The Clerk read as follows:

For salaries and other administrative expenses specified in paragraph 2 of such act, $1,941,063, of which sum not to exceed $250,000 may be transferred to appropriations of the Treasury Department in accordance with the provisions of such paragraph.

For printing and binding, $23,562.

Mr. TABER. Mr. Chairman, I offer an amendment, which is at the desk. Mr. Chairman, there is also another amendment of like character for the next paragraph. I ask unanimous consent that the two amendments may be considered together. The amendment is to strike out the paragraph in each instance.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that the two amendments may be considered at the same time?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 11, strike out lines 9 to 15, inclusive.

Amendment offered by Mr. TABER: On page 11, strike out lines 16 to 20, inclusive.

Mr. TABER. Mr. Chairman, this is a scheme to add $32,000,000 to the National Youth Administration. Let me give you the break-down:

Youth employees, $11,900,000.

Supervisory employees, $4,802,000.

Total personal services, $16,706,000.

Equipment and buildings, $8,875,000.

Now, this is one of the sorriest exhibitions that any bureau or department ever presented to the Appropriations Committee, asking for one-third as much for supervisory employees as they did for the youth employees, indicating great incompetence, great waste, and a most ridiculous set-up.

It is not surprising the results we get from this kind of management. Aubrey Williams runs this outfit. He agreed, according to the testimony given before our committee, that he would keep away from this idea of training youth in industry. At the same time he wants $8,800,000 for equipment and buildings and he wants one-third as much for supervisory employees as he wants for the youth employees.

The whole proposition is perfectly ridiculous.

There is nothing going to result along this line for national defense. It is just a terrific, ridiculous waste, getting in a lot of people who ought not be there. We are establishing a precedent that will be hard to get away from. It is not contributing to national defense. It is working steadily and vigorously against national defense.

I hope that the House will adopt these amendments and try to clear up this situation.

Mr. WOODRUM of Virginia. Mr. Chairman, the representatives of the Advisory Commission to the Council of National Defense came before the committee, two gentlemen who have been recruited to the Defense Commission from private industry, both occupying very high, responsible positions, one with the Standard Oil Co. and one with the Western Electric Co., and they made a very strong and very emphatic statement to the subcommittee, which will be found fully set out in the hearings, about the value of this training.

This is supposed to give to the National Youth Administration additional funds with which to have work projects for unemployed youth. We have also provided for their training for the defense program under the Office of Education.

I do not want to take the time of the Committee, because I am sure it is not necessary, but I hope very much that the gentleman's amendments will not prevail.

Mr. MURDOCK of Arizona. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, the gentleman from New York [Mr. TABER] usually opposes any appropriation for N. Y. A. Surely he must be unable to see the regenerative power in our human society which education in general, and that type in particular, has. However, I feel constrained to speak, also along with the chairman of the subcommittee, in favor of this appropriation.

Something has been said about this being in no wise a part of our defense program. I think it is a vital part of our defense program. We have just voted billions of dollars for the building of war machines as a part of our national defense. We have recently passed a bill for the training of the manpower for those war machines, all of which is logical and necessary in the interest of national defense. Several of our Members have pointed out that the training of our defenders of America does not consist alone in the purely military training which these young men will receive in camps. That is only a part of it. Wars of the future will be more and more wars of machines. For that reason we ought to support heartily all of the provisions here for vocational training, for mechanical science and skill, for the increased power of the N. Y. A., all to the same purpose, training young men—and from the amendment added a moment ago, also young women—for a part in our defense program. At the same time we will be giving them vocational training which will stand them in good stead in peacetimes. So it is necessary that we have young men trained in industrial arts, not only in schools, but in factories as well, so they may play their part, whether in the Army or behind the lines in this defense program.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. MURDOCK of Arizona. I yield.

Mr. COFFEE of Nebraska. How does the gentleman propose to reconcile the program of the N. Y. A. in vocational training and that which is now being conducted under the Smith-Hughes Act, the George Act, under the Office of Education? It seems to me there is an overlapping of authority.

Mr. MURDOCK of Arizona. There may be some overlapping. It is logical to expect some but we must minimize it. As a school man I want to see less overlapping and a coordinating of all these agencies which I believe is possible and which is planned. I do not want to see any new educational agencies set up, as that would involve expensive new equipment, and only such new shops as local needs require. I believe that a part of this training should be done with the same equipment that we have been using under the Smith-Hughes Act, merely doubling the use of the school plant by increasing the appropriation and the instructional force in that respect.

Good instructors and actual power equipment are needed in the school shops. A part of this training may be done in factories.

The N. Y. A. should and probably will coordinate with Vocational Education by hooking together the shops in these schools and making the results in these shops such that they will not everlap but will supplement and complement each other.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Arizona. I yield.

Mr. VOORHIS of California. As a matter of fact—and I would like to be corrected if I am wrong—my understanding is that the provisions of this bill for the Office of Education taken together with the provision for the N. Y. A. are aimed to accomplish the very thing the gentleman had reference to. I also have in my hand here, if I may make this additional statement, a letter from the chairman of the California Committee of Junior College and Trade School Administrators of the whole State where they have gone over this whole program and recommend that the very thing be done which, if I can read correctly, has been done in this bill. The whole school system of California will agree to cooperate on this very program that is being carried out. Most of it will not cost the Government a cent. Most of it will be done by the schools in cooperation with and supplementing the work experience these boys get in the N. Y. A. and regular schools.

Mr. MURDOCK of Arizona. I thank the gentleman for his contribution. The chairman was exactly right when he said that experts and members of the Council for National Defense have advised that this sort of program be carried out; and that is the way, to my best knowledge, the educators of this country feel, and here is the place where they may have their distinctive part in the total training program. This type of training certainly appeals to me. Let us not cut out any of it. The two amendments offered by the gentleman from New York should be voted down.

Mr. BREWSTER. Mr. Chairman, it is with reluctance that I disagree with the ranking Member on our side with whom it is my pleasure very frequently to agree. The National Youth Administration has been a matter of very great interest to me because of my own contact with educational problems for many years during a time when I was a school teacher myself and a member of the Portland school committee, and also of the Committee on Education of the Maine Legislature.

I think the answer to the immediate problem we face is found in the fact that it is a condition and not a theory that confronts us. Hundreds of thousands of trained mechanics are urgently required. The working span of a mechanic averages only 25 years. Their ranks have been greatly depleted during the last two decades when practically no apprentices have been trained. The National Youth Administration has been seeking to fill this need. The gentleman who offers the amendment suggests that they have not in any way served this purpose. That I think is not correct.

Mr. TABER. I think, if the gentleman would yield, there is not any question that they have not in any way supplied trained mechanics to the industries of this country.

Mr. BREWSTER. Would the gentleman feel differently if he found that he were wrong on that score? Would he perhaps be somewhat more lenient in this matter?

Mr. TABER. I am sure I am not wrong, because, if I had been, Mr. Williams would have claimed it when he was before the committee.

Mr. BREWSTER. I do not know as to Mr. Williams' testimony before the committee, but I know of my own personal experience during the last year and a half that boys have been trained as mechanics and are now filling jobs as mechanics in the State of Maine trained in the N. Y. A. trade school with a year's training. This is a matter that is under my own personal observation and is the reason for my rising here. I cannot undertake to speak regarding the experience or practice elsewhere, but I know that this has actually been carried out. It is naturally not a perfected system in the course of 1 or 2 years, but it is the only real endeavor to meet this problem, as the public-school systems, with their vocational education, have never been able—for reasons that my time will not permit me here to discuss—to do this job. Trade-unions have said they do not object to the vocational education of the public-school system because it never produced any trained mechanics.

The N. Y. A. schools that I have observed are going a long way in that direction, and I have no question but that within the next 6 months at least between 100 and 200 more trained mechanics will emerge from the N. Y. A. schools in the State of Maine ready to fill jobs that urgently require filling in the interest of our national defense. For this reason I hope these N. Y. A. schools may be permitted to carry on and expand to some degree this work. One may recognize the possibility of overlapping, duplication, and conflict and yet recognize also that the public-school system of this country in large measure has absolutely failed to fill this bill, and that unless we take some step along this line there seems no way in which we can meet the challenge of the mechanized autocracies overseas. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PACE. Mr. Chairman, I rise in opposition to the amendment.

On your desk this morning was a long list from the Civil Service Commission stating some 30 or 40 different types of mechanics needed in connection with the defense program. I have surveyed my own district. We have no facilities there for the practical training of young men for these places that are open. It seems to me if you will make the same survey, unless you happen to have an arsenal in your district, or a shipbuilding plant in your district, you will realize there are very few in your district that today have the opportunity to train themselves to be ready to take their part in the national-defense program from the standpoint of the industrial needs.

During the coming months many industries are going to be stimulated by the national-defense program. These industries are going to employ more workers. They will be seeking workers who have had at least some working experience. However, thousands of youths who are looking for jobs today have had no such experience.

For example, of the youth coming on to National Youth Administration projects, half have never held a job, while another 40 percent have held jobs which have given them little or no work experience of value. In other words, 90 percent of the youth who have been entering the rolls of the National Youth Administration would otherwise have had little chance of getting a job if they had applied with one of the defense industries. The employers would have said to these youth, "No experience, then no job."

There is thus a dire need among unemployed youth for work experience. They must be given this work experience if we are to make a dent in the problems of unemployed youth. The National Youth Administration is today giving such a job-qualifying experience to more than 250,000 youth. But there are many other youth, now outside the National Youth Administration, who should also be given this opportunity of bettering their chances of getting private employment. On July 31 there were 450,000 youth, eligible for N. Y. A. employment, who were waiting assignment to N. Y. A. projects, who were waiting their turn to get a well-rounded experience that would help them obtain the jobs that are being created by the national-defense program.

In my own State of Georgia, for example, there were 15,251 youth who were certified and waiting assignment to National Youth Administration projects. I would like to see many of these youth and other youth now waiting assignment given the opportunity to work and to receive the significant values that come from work. It is important to these youth that they get this opportunity. It is also important to the national-defense program that there be a reservoir of experienced workers upon which they can draw in this national emergency.

Because so many youth have never held jobs, they are the last to be hired by industry. They are not receiving their fair share of the openings that occur in private employment. Placements made by State employment offices during the year ending May 1940 show that youth received but 25 percent of the jobs. They would have received at least one-third of the jobs if they had been hired in proportion to their number among the unemployed.

The National Youth Administration has been doing a splendid job in preparing youth for private employment. Over 100,000 left the N. Y. A. rolls during the year ending May 1940 to enter private industry. This program should be expanded to meet the need for experienced workers in defense industries.

The National Youth Administration is, at this moment, in touch with some 450,000 youth who are in need both of jobs and of work experience. The amendment to strike out this supplemental appropriation should be voted down and we should give the boys the type of work experience that will help them get their fair share of the jobs that are going to open up during the coming critical months.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The amendment was rejected.

The Clerk read as follows:

CONTINGENT AND MISCELLANEOUS

Reunion of United Confederate Veterans: The sum of $12,500 provided by the Second Deficiency Appropriation Act, 1940, approved June 27, 1940 (Public Act No. 668, 76th Cong.), for expenses of the reunion of United Confederate Veterans to be held in Washington, D. C., in 1940, is hereby made available for expenditure by the Commissioners of such District, notwithstanding the provisions of any other act, for the payment of such expenses as they may deem necessary for and in connection with such reunion including the payment of obligations heretofore incurred.

Mr. MAHON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the Deficiency Committee about this $12,500 item which we are appropriating for the reunion of the United Confederate Veterans. I know that the hearings show that this matter was gone into very carefully. A number of people have asked me on numerous occasions whether or not this appropriation is now in such shape that it may be utilized by the District of Columbia in providing for this reunion of the United Confederate Veterans. May I ask the chairman if the committee has gone into that fully and if he is absolutely confident this will take care of the situation?

Mr. WOODRUM of Virginia. We understand this clears it so it can be used. The appropriation was made heretofore in a previous bill, but there was some technical question involved with the Comptroller General, but this will turn it loose.

Mr. MAHON. I thank the gentleman.

Mr. FULMER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in taking only 2 or 3 minutes I want to refer to the statements made awhile ago about the activities of the N. Y. A. I have received several letters recently from my State about the N. Y. A. and what it proposes to do. It may be that this agency has been doing quite a lot of good work, but when it comes to training folks in my State in mechanics or in any other trade work I do not believe very much has been accomplished.

This is a very important matter, one that I am deeply interested in. My thought is that you are creating another activity that, like all other programs, will call for large increases in personnel and the increasing of appropriations with the spending of a lot of money without accomplishing very much. We have already started with certain appropriations and we are going to increase them from time to time, in an endeavor to tie them in with the public schools or with some other agency to do that which we ought to have been doing all these years. One of the most important things in this country is training boys and girls to do something. It is pitiful to me to see in our public-school system today that they are teaching boys and girls Latin and various other studies when perhaps 75 percent of them will never see the inside of a college. When they have finished the eleventh grade they have not been trained to do a single thing.

This will never be accomplished until we pass proper legislation through the Congress appropriating the necessary money to set up facilities in connection with the public high schools and establish rules and regulations in cooperation with State legislatures to carry out a program of definitely training boys and girls to do things. I am very fearful that in these appropriations we are making for the N. Y. A. in the name of teaching the boys and girls along trade lines we will be spending more money without receiving any real good results.

I find since I have been a Member of Congress that the tendency on the part of those who have charge of the various departments of Government is to stress the need of increased appropriations, the employing of more people for the purpose of trying to secure actual results by what they call an educational system.

This is usually a long drawn out program, and one which, as a rule, never accomplishes that which we have in mind. In other words: "Give us the money and leave it to us to set up the various bureaus and activities, and we will eventually get it down to the people, and we will sooner or later get results."

We have been appropriating millions for research, new uses for cotton, for instance. However, you cannot show me any really definite results except annual reports to the Congress.

Take the operations of the Forest Laboratory at Madison, Wis. I had the privilege sometime ago of visiting and going through several buildings which are being used for this line of work. I found the work at this laboratory very interesting, and, apparently, in a great many instances, they are doing some wonderful work. However, as usual, it is on the inside. In other words, we are not actually getting definite results on the outside, getting them down to the people.

They are sending out pamphlets, booklets, and they carry beautiful stories in the press; but, as a matter of fact, only a very few well-organized and well-financed groups are putting into operation the findings in connection with this work. In other words, we are not getting our money's worth. The type of people who should have this information, and who should reap the benefits from these findings, know nothing about it.

We have been spending millions in connection with our Extension Service work in trying to educate farmers how to do things, how to get results; but we have gotten very small definite results during all of these years. In fact, under the agricultural program during the last 3 or 4 years, we have accomplished more in building up our soils, increasing production per acre and in improving farm products than we have done all of these past years.

Now, the reason for this is that we are definitely having farmers to do those things which they should have been doing all of these years, that which we have been trying to educate them to do for the reason farmers are complying because of certain benefits received for their compliance under the rules and regulations governing soil building, improvements, and so forth.

Why, back in the old days, when I used to furnish farmers fertilizer and supplies for the purpose of producing their crops, it was a matter of planting all the acres they could in cotton without doing the things that they should do to increase the production per acre.

During those years they would produce anywhere from 100 to 250 pounds of lint cotton per acre.

Under the present program, wherein we have allotted to them a certain acreage, giving them the definite right to sell all that they can produce on this acreage, they have actually increased the production up to as high as two bales of cotton, or 1,000 pounds of lint, per acre. The average in South Carolina for 1939 will be about 350 pounds per acre.

Some time ago I had a conference with Dr. Studebaker, from the Office of Education here in Washington, and he definitely understands the real picture of the situation about which I am talking, but apparently Dr. Studebaker, like all other Government officials and employees, is perfectly willing to spend more money in creating committees, like they are doing under the N. Y. A. for the purpose of cooperating with the officials of the public schools of the country, to advise and talk about these things.

I am anxious to see the members of the Committee on Education call on Dr. Studebaker for the purpose of working out a definite bill authorizing millions annually in aiding the States under proper State laws and State supervision, rules, and regulations to actually create proper facilities, which the high schools do not have at this time, to actually and definitely train boys and girls to do something with their hands.

We are now building electric lines in all of the rural sections of the country. It is important that we put on a program of building community and cooperative industries and woodworking plants.

Think what it would mean to farmers, the unemployed, and to boys and girls when they have finished high school, if they have been properly trained so as to be able to engage in the various lines of work where we need so many trained people today, at a time when we do not have them.

As stated, it is pitiful to me having boys and girls who finish high school, and who have an ambition to make good, write in with the hope of getting work with some industry or with the Government, and when asked: "What training have you had, or what line of work can you do?" to have them write back, saying: "I have had no training, but I am sure I could do filing or some kind of office work."

I have had school teachers communicate with me about securing work with the various departments of Government, and, in that they have had no special training except to teach, the only position they can apply for is filing or office work.

We need the youth of the country trained to do something which, as far as I am concerned, is more important to millions of boys and girls than even finishing the eleventh grade in the public schools of the country.

I am speaking about the million of boys and girls who will never have an opportunity to secure a college education. Many of these boys and girls possess the best brains and the best possibilities of making a fair income and a name for themselves, if they only had a chance.

Let us actually do it—let us give them a chance.

Mr. ROUTZOHN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it was not my purpose to offer any observations of my own here this afternoon, but in view of the remarks that my good friend from California offered heretofore relative to the National Labor Relations Board I would like to set this House at ease concerning that which has just now been read by the Clerk, expressly stipulating that none of the appropriation for the Board shall be used for the Division of Economic Research or the Division of Economic Service.

Several months ago—since June 1 to be exact—this House passed by a 2 to 1 vote amendments to the National Labor Relations Act, but since that time the Committee on Education and Labor in the Senate has seen fit to withhold Senate action upon those amendments. So long as that action is withheld we will have a disturbed labor condition in this country. In view of the other conditions that are confronting us at the present time calling for immediate preparations for national defense, I believe it is high time for affirmative action on the part of the Labor Committee in the Senate, and I say this with all due respect to the committee. On September 11 this year the head of the research department of the National Labor Relations Board, David Saposs, appeared before the Smith committee, and at that time he admitted again to consorting with the Communists of this country and Europe. In addition to that he admitted that he sat in Communist meetings with Earl Browder and other "reds." He says he is not a Communist. I do not know how we can prove a man to be a Communist unless we know his mental processes or unless we can prove that he carries a Communist card. He does admit that he is a Socialist, of some sort or other, and that his socialism is based upon the teachings of Karl Marx. Whether he is a Communist or Socialist makes very little difference in determining his subversive beliefs and influence, and I shall read just a few little excerpts which prove that he believes in the overthrow of our present Government by force.

I read from the publication Labor Age, of December 1931, in which he made the following statement:

> As for democracy, the opposition also wants to safeguard it. But bourgeois democracy is a sham. When it is evident that socialism is the only remedy it is not worth saving a democracy in which socialist parties only collaborate with capitalism.
>
> If in the attempt to carry out such a program—

And he is speaking here of the overthrow of the Government—

> political action fails, then the workers must unhesitatingly resort to organized force. The International must take the position that

if another war occurs the workers will destroy capitalism. With that end in view the workers must be prepared to stretch arms across the frontiers in case of war and definitely win power for themselves.

Another excerpt:

Unless such a movement (of middle class and workers) is brought into being, capitalism will go marching on, with its poverty, misery, and economic insecurity. The time is ripe; have the middle class and workers the will to rise to the occasion?

I could read much more from his writings which indicate that as far as Mr. Saposs, who is the head of the Economic Research Division in the National Labor Relations Board, is concerned, and as far as his actual membership in the Communist Party is concerned, it makes very little difference whether he is a card Communist or not, when his philosophy of "socialism," as he terms it, calls for the overthrow of the Government by force.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. ROUTZOHN. I yield to the gentleman from Michigan.

Mr. MICHENER. Did he make those statements before he was selected by the Government and appointed to this most important position in the Government?

Mr. ROUTZOHN. What I just read was published by him in 1931, which was before the Labor Act was enacted and before he could take office. May I add at this time that the Labor Board itself has defied the Senate and this House in refusing to dismiss the department, headed by Mr. Saposs, and that such conduct of the Board was contrary to a provision in an appropriation bill that was passed by both legislative bodies.

Mr. MICHENER. As I understand, an appropriation bill specifically made provision to do away with the service of this man in connection with the Government, and the Labor Board circumvented that expressed prohibition by the Congress and retained this man in the service.

Mr. ROUTZOHN. The Labor Board defied a mandate of the Senate and this House, contained in an appropriation bill that was passed prior to June 30, this year.

[Here the gavel fell.]

The Clerk read as follows:

Establishment of air-navigation facilities: For an additional amount for the establishment of air-navigation facilities, including the objects specified under this head in the Independent Offices Appropriation Act, 1941, $2,091,000, to remain available until June 30, 1942.

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Civil Aeronautics Authority is to be commended for the promptness and efficiency with which it investigated the crash of the great air liner in Virginia the first of the month. In view of the fact that some partisan suggestion was made with reference to the matter, it is particularly gratifying that an exhaustive investigation of the situation discloses that the accident was unpreventable and could not be charged under any circumstances to delinquency upon the part of any governmental agency.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. In just a minute.

In this connection, as is usually the case in reporting and discussing aviation accidents, there has been frequent comment on the dangers attending travel by air.

It is interesting to note that the actual comparative statistics of transportation show air travel to be the safest method of transportation in use today. This was the first fatality in commercial aviation in 17 months. It was the first accident on this particular line, the Pennsylvania-Central Air Lines, in 14 years of continuous service. Since the last accident of this character in the air more than 2,500,000 passengers have flown a total of more than a billion passenger-miles without a single fatality.

In comparison with this remarkable record, railroad fatalities in the United States from April 1, 1939, to June 31, 1940, according to the Bureau of Railroad Economics, aggregated a total of 5,643 persons killed. Projecting these figures at the same ratio over the 17 months of the record by aviation, it is to be noted that while losing these 25 passengers by aviation we have lost approximately 7,000 people killed on the railroads of the country.

Simultaneously, from April 1, 1939, to June 30, 1940, on the authority of the American Automobile Association, motor vehicle fatalities in the United States amounted to 40,590 people. In other words, extending the statistics just cited to the period of 17 months, which covers the death of these 25 air-line fatalities, there have been killed on the railroads of the country more than 7,000 people and on the highways of the Nation more than 50,000 people, and there has been little comment in the newspapers or over the radio, and no reference to the dangers of rail or highway traffic.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Does the gentleman include employees of the railroads as well as passengers in the 7,000?

Mr. CANNON of Missouri. The figures include all who have been killed on the railroads, both employees and passengers, just as the statistics cited include both employees and passengers, 4 employees and 21 passengers killed in the Virginia crash.

Mr. VAN ZANDT. That is something different.

Mr. CANNON of Missouri. No, it is not different in any respect. The figures just given include all railroad, motor, and aviation fatalities under exactly similar conditions and classifications in all three lines of transportation. They are authoritative and taken from official reports as indicated.

Mr. VAN ZANDT. Both employees and passengers?

Mr. CANNON of Missouri. Both employees and passengers.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. MAHON. Does the gentleman mean to include those who were killed by trains or who were passengers or employees of the railroads on trains?

Mr. CANNON of Missouri. In all these statistics, those of the railroads, those of the highways, and those of the airplanes, we have included both employees and passengers, all those who have been killed on and by these various means of transportation. Classification of fatalities is identical in all three.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I believe this House is fortunate in having men like the gentleman from Missouri to bring before our body these statistics in connection with the safety of air-transport travel in this land. May I just add this further observation: I believe the gentleman made a mistake in giving the number who had been transported over the air lines. The figure is 3,250,000, rather than the 2,500,000 the gentleman used.

Mr. CANNON of Missouri. I am glad to be corrected. However, the travel was in excess of a billion passenger-miles. The reaction of the country, fortunately, is in proportion to the comparatively slight risk involved. Notwithstanding this one deplorable accident, the most disastrous in the history of either military or civil aviation, there has been no diminution in travel by airway.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. VORYS of Ohio. Reserving the right to object, Mr. Chairman, I shall be forced to object if the gentleman persists in refusing to yield to me for a question.

Mr. CANNON of Missouri. Mr. Chairman, I had no intention of refusing to yield to the gentleman. It is my misfortune to have overlooked his request.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. I yield now to the gentleman from Ohio.

Mr. VORYS of Ohio. In view of the fact that the C. A. B. was investigating itself, did the gentleman have any doubt from the beginning that this investigation would result in the Board's finding that it was without fault. If there had been any fault found on the part of the Government, then the prophecies of those of us who said that this was the sort of investigation we would have might not have come true, but this whitewash investigation tends to show exactly what we did prophesy, that when the C. A. B. investigates itself it will, after due deliberation, find that there was nothing wrong with what it did.

Mr. CANNON of Missouri. Mr. Chairman, this unfortunate accident, one of the most spectacular and most widely discussed in recent times, has been under the white light of investigation from every possible point of view and by every available agency. Every shred of evidence, every source of information, every known witness has been examined and reexamined by the Government, by the owners, by the representatives of the air lines, and especially by the newspapers of the country, and no one out of all this host of investigators has at any time suggested, and I am certain that not even the gentleman himself can suggest, evidence of any kind whatever which tends in the slightest way to indicate there was any dereliction of duty upon the part of any governmental agency.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend the gentleman from Colorado.

Mr. LEWIS of Colorado. The gentleman has referred to the number of casualties on the highways. It it not a fact that the casualties on the highways for any period of time are comparable with the losses of the American forces in the last war?

Mr. CANNON of Missouri. If in any battle we should lose as many men as we lose on the highways in 1 year, it would be considered a great catastrophe.

But, Mr. Chairman, I particularly allude to this great disaster because of my warm friendship for, and my long associations with, Senator Ernest Lundeen, who fell with the plane, closing one of the most remarkable careers in the history of the Congress.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is the gentleman really satisfied that the Civil Aeronautics Bureau, or whoever permitted the ship to take off at the time it did, late, and going into an area of electrical disturbance, was warranted in doing so under the circumstances?

Mr. CANNON of Missouri. Full evidence on that point was submitted; every one who could give any information was subpenaed, and the evidence adduced was conclusive to the effect that there was nothing unusual in any way in the take-off of this plane, and no variation in any respect from the routine customarily observed in every airport in the country. If the gentleman has anything to the contrary, he should let us know of it.

Mr. MILLER. Mr. Chairman, will the gentleman yield to me before he leaves that subject?

Mr. CANNON of Missouri. I yield to the gentleman from Connecticut.

Mr. MILLER. As one who uses the airlines almost every week, I admit I was disturbed by the testimony that was under review, to the effect that the ship came back, that the filter was foul and was cleaned, but no effort was made to secure any knowledge about what was fouling the filter. I admit, as one who uses that line a good deal, I would have felt better if they had found what fouled the filter before they let it go out.

Mr. CANNON of Missouri. The evidence before the investigating board was conclusive on that point. The very fact that the pilot, observing a slightly lowered pressure, returned to the ramp is evidence of the care and precaution observed. It is not unusual for a ship to taxi back for some slight readjustment. The evidence was that he could have continued the flight without cleaning the filter with no prospect of any serious results, but he preferred to return for even this slight and comparatively unimportant readjustment before taking off. There was nothing exceptional about the fouling of the filter. In ordinary use of any engine using that class of fuel there is a slow accretion of dirt in the filter and all filters are periodically cleaned, as they are in an automobile. The very purpose of a filter is to strain impurities from the gas. All evidence shows that the filter had nothing to do with the accident as both motors were functioning perfectly at full speed when the ship crashed.

Mr. MILLER. Was not the answer, when that question was asked, to the effect they did not know why it fouled? I attended the hearing of the testimony and I thought I heard that answer given and I was disturbed about it.

Mr. CANNON of Missouri. The gentleman must have misunderstood the purport of the evidence. No one at any time intimated that it was anything more than the natural accumulation strained from the fuel and in no way connected with the cause of the crash.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman asked if I had any suggestions as to any faults. In answering, I want to say that I think the floor of Congress is about the poorest place in the world to attempt to investigate an airplane accident, and next to that is to have an investigation carried on by those whose very regulations are under investigation in the very inquiry which they are making.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 4 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. I fully agree with the gentleman, and no attempt has been made to investigate the matter here. The suggestions kindly submitted by the various gentlemen on both sides of the aisle have been gratuitous. I merely wish to complete the reference I have been trying to make for some time to my friend, Senator Ernest Lundeen, of Minnesota, who died untimely in the disaster.

Senator Lundeen was a veteran in aviation. He probably had more flying hours to his credit than any Member of either the House or the Senate, and it was my good fortune to accompany him across to Europe on the Clipper on its first trip along the North Atlantic route. On our way across on one occasion when we prepared to take off from a port in Ireland, Senator Lundeen and I were engaged in conversation and neglected to fasten our safety belts, and Colonel Gorrell, who organized the first American air forces in Europe in the World War, one of the most gallant and most colorful figures in the history of American military aviation, sitting across from us said, "Gentlemen, you have not fastened your belts." And Senator Lundeen said, "Oh, nothing ever happens, and so why take the trouble." Colonel Gorrell said, rather gravely, "My belt saved my life on two different occasions. I advise you to fasten yours." We fastened them and thereafter always observed the signal flashed on to close belts when we were taking off or preparing to land. All evidence tends to show that the plane went down in this instance with its landing wheels retracted, with both throttles wide open in a desperate effort to climb, and that all safety belts were fastened. So I am certain that Senator Lundeen in the light of his knowledge of the fundamentals of aviation and his long experience aloft—with the signal flashing above him—must have realized the situation and have known what was coming. And all who knew him in

life may be certain that in that one brief instant he faced the inevitable—calm and imperturbable and unafraid.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the pro forma amendment.

I would like to ask a question of the chairman of the subcommittee. In connection with the establishment of air navigation facilities, I note that this is an amount in addition to the amount specified under this heading in the Independent Offices Appropriation Act. The question I would like to ask is, Did the Civil Aeronautics people suggest that they would follow the same list of priority that was submitted in connection with the hearings on the independent offices item last year?

Mr. WOODRUM of Virginia. The amount provided in this paragraph, $2,091,000, for air navigation facilities is for the facilities that would be required in the new program, for which in this bill we appropriate $30,000,000 in cash and $50,000,000 in contract authorizations. I do not understand that this additional amount of $2,091,000 relates in any way to the program carried in the independent offices bill.

Mr. CASE of South Dakota. As I recall, we carried some cash and we also carried some contract authorizations in the independent offices bill. This item in this bill is not necessarily carrying out the contract authorizations carried in the independent offices bill?

Mr. WOODRUM of Virginia. I do not so understand it. I do not think it has any relation to that program at all in the independent offices bill.

Mr. CASE of South Dakota. The other question I would like to ask is this: In connection with the matter discussed by the gentleman from Missouri [Mr. CANNON] did the committee have brought before it any evidence pertaining to the resignation of inspectors in the Civil Aeronautics Board since it has been put into the Department of Commerce, from the time it was an independent agency?

Mr. WOODRUM of Virginia. No; the committee did not go into that at all. I am told by Mr. Sheild that on one occasion when I was not present a question was asked to that effect, and the information was put in the hearings. I am sorry I do not know where it is. Mr. Hinckley was asked a question about it and something is in the record on it, but I cannot tell the gentleman what it is.

Mr. CASE of South Dakota. I wanted to express the thought that I believe the House and the committee should take upon itself the responsibility of going into this unfortunate crash more deeply. I was told recently that a number of investigators who had been with the Civil Aeronautics Authority when it was an independent agency had resigned because of policies they felt were being forced upon them since it had gone into the Department of Commerce. I do not state this as a fact, because I do not know, but the remark was made by a party whose opinions are worthy of study. I was told that a number of the very best men had resigned and that more were intending to resign because they saw that people were being put into responsible positions in the C. A. B. who were more or less in the nature of political pets and were not competent to carry on the standards set by the old C. A. A.

I rather question the conclusion that was reached by the gentleman from Missouri [Mr. CANNON] that the country has accepted the verdict of the Civil Aeronautics Board that this crash was unavoidable. Until there is an independent investigation I think the country will continue to wonder if the accident might have been prevented.

In my own case that may grow out of an experience last spring in connection with a visit to the Army maneuvers in Louisiana. The gentleman from Pennsylvania [Mr. SNYDER] and the gentleman from Louisiana [Mr. BROOKS] and myself were flying one night and we flew into an electric storm. We lost a thousand feet in 10 seconds and were blown 20 miles off of our course in a few minutes. Because of comments of the pilots at the time, the question persists in my mind as to whether the P. C. A. ship did not run into an identical situation, and not having enough altitude simply crashed. Out of our experience, I came to the conclusion that commercial passenger ships should not be permitted to fly over mountainous country when there is a combination of violent winds, heavy rain, and sharp lightning.

I want to express the hope that the committee will pursue further the circumstances surrounding the P. C. A. crash and also look into the reorganization of the C. A. B. to see what changes of personnel and policy, if any, have been forced upon the old C. A. A. that made such a splendid record. I yield back the balance of my time.

Mr. MILLS of Louisiana. Mr. Chairman, I move to strike out the pro forma amendment.

Mr. Chairman, I hope I may have the attention of the House as I would greatly appreciate if you would give me your sympathy at this particular time.

Beginning July 1 of this year it rained practically 45 days in my congressional district and destroyed 50, 75, 80, and 90 percent of certain crops. Certain of my people are absolutely hungry. I know similar stories have been coming to this House, but I am representing a farm area that has had absolutely a crop failure due to excessive rains. The Government has shipped into that congressional district several hundred carloads of commodities in the last 2½ months and certain of my people are in breadlines today. Every agency of the Federal Government is aware of my position and the needs of my people. Here is what I want to bring before this House. I have taken up this subject with the office of the Chief of Engineers, War Department, and with the W. P. A. officials, and they have agreed to coordinate their work if you Members will sympathize with my interest. I am especially calling on the Appropriations Committee at this time. You will recall under section 2 of the Flood Control Act of August 28, 1937, as amended by section 1 of the Flood Control Act of August 11, 1939, that the allotment cannot exceed $300,000 in any one fiscal year for removing snags and debris in navigable streams; however, the office of the Chief of Engineers advised me that all their funds had been allotted with the exception of about $20,000 which they agreed to use in promoting W. P. A. drainage projects in my section, but that is not sufficient money to help care for my people. We need an appropriation of $100,000 and I hope the Members of the House as a whole will agree to grant this $100,000.

We have not asked this House for any direct relief. It is true, of course, you have given my people certain agricultural-benefit checks, but this is the first time in 4 years that I have come before the House asking for any specific direct relief. I trust that the membership of the Appropriations Committee as well as the House goes along with this $100,000 request that we hope will be added on the Senate side.

I admit that the usual procedure is to request the Budget Bureau to make a recommendation. I have not asked the Budget Bureau in this instance.

You may ask, "What are you going to do with $100,000?" We propose to sponsor certain W. P. A. drainage projects, whereby employment may be given to a hungry people.

We have a pitiful story. We are not asking for this money in order that somebody may have a big time. We are only asking permission to live. So I hope this House will agree to accept this amendment when it is added to the bill.

Mr. Chairman, I yield back the balance of my time.

By unanimous consent the pro forma amendment was withdrawn.

The Clerk read as follows:

Salaries and expenses, Bituminous Coal Division: For an additional amount for salaries and expenses, Bituminous Coal Division, including the objects specified under this head in the Interior Department Appropriation Act, 1941, $137,000.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBSION of Kentucky: Page 21, line 3; strike out the period, insert semicolon, and add the following:

"To investigate the safe operation of mines for the purpose of minimizing working hazards, and for such purpose shall be authorized to utilize the services of the Bureau of Mines as provided in section 14, subsection a–2, Public, No. 48, Seventy-fifth Congress, the sum of $50,000."

Mr. WOODRUM of Virginia. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the paragraph.

Mr. ROBSION of Kentucky. Will the gentleman withhold his point of order?

Mr. WOODRUM of Virginia. Yes; I will withhold my point of order to permit the gentleman to make a statement.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer the following amendment:

To investigate the safe operation of mines for the purpose of minimizing working hazards, and for such purpose shall be authorized to utilize the services of the Bureau of Mines as provided in section 14, subsection (a) (2), Public, No. 48, Seventy-fifth Congress, the sum of $50,000.

As the amendment shows, it amends section 14, subsection (a) (2) of the Bituminous Coal Act. The gentleman from Virginia [Mr. WOODRUM], who has charge of this deficiency appropriation bill, made a point of order against the amendment. He later withdrew his point of order.

Several months ago the Senate passed what is known as S. 2420. That measure sought to have coal mines investigated to lessen accidents and disasters in coal mines. This measure came to the House and was referred to the Committee on Mines and Mining. The chairman, Hon. JOE SMITH, of West Virginia, appointed a subcommittee of five to make a study of S. 2420 and report back to the full committee. The subcommittee was made up of five capable, experienced Members of the House, and on this committee there were some able and experienced lawyers. The committee was made up of three Democrats, with the gentleman from New York, Hon. ANDREW L. SOMERS, a Democrat, chairman, and two Republicans. This committee held very extensive hearings. The miners appeared with their attorneys, the coal people likewise appeared with their attorneys, and the State officials, and especially those that had to do with inspection of coal mines in the coal-producing States, appeared. The State officials of the several States are very much opposed to this legislation and so are the coal producers. The State officials insist that under their State laws they have able and experienced men who look after these inspections and investigations, and their laws provide for the safety of mines and impose heavy penalties on the operators who fail to observe the safety of the laws of their respective States, and the States also provide other measures for the safety of the mines and the miners. These officials insist that this new measure is not necessary, and that it invades the rights of the States, and they also contend that S. 2420 is clearly unconstitutional. The operators claim it would impose an unnecessary burden upon the industry. The miners contend that the State officials are lax in performing their duties and insist that this measure is constitutional, and also point out the disasters in coal mines and the loss of life.

After months of investigation, the subcommittee headed by the gentleman from New York [Mr. SOMERS] made its report to the full Committee on Mines and Mining, August 15, 1940. This subcommittee pointed out in its report that this legislation was unnecessary. The committee called attention to the provisions of the Bituminous Coal Act, and especially section 14, subsection (a) (2) of that act, which provides:

The Commission * * * shall further investigate the safe operation of mines with the purpose of minimizing working hazards and for such purposes shall be authorized to utilize the services of the Bureau of Mines.

Every fair-minded person should deplore the fact that we have had a number of disasters in the coal mines with the loss of many lives, and necessary steps should be taken to protect the limbs, the health, and the lives of those who work in and about the mines. No one could consistently take an opposite view. The limbs, the health, and the lives of those who engage in this industry should be protected from preventable accidents and disasters.

The subcommittee's report points out that under the Bituminous Coal Act which is now the law of the land, greater and wider authority is given to inspect and investigate coal mines in order to prevent hazards and accidents than is provided in S. 2420.

The Bituminous Coal Commission operated for some considerable time as an independent commission. About a year ago it was placed under the Secretary of the Interior. Strange to say, neither the Commission nor the Secretary of the Interior have taken any steps to carry out this provision of the Bituminous Coal Act. Sometime ago I wrote a letter to the Commission, but received no reply, and later on I wrote a letter to the Honorable Harold L. Ickes, Secretary of the Interior, calling his attention to this provision of the Bituminous Coal Act, and sent a copy of that letter to the Commission, but I received no reply either from Secretary Ickes or the Bituminous Coal Commission. However, considerable effort has been made by the mine workers to have S. 2420 acted upon in the House.

The Committee on Mines and Mining, by a tie vote, failed to report the bill to the House after receiving the report of the subcommittee. The United Mine Workers, so far as I have been able to learn, have made no demands on the Secretary of the Interior or the Bituminous Coal Commission to carry out this provision of the Bituminous Coal Act.

It has been intimated that the act does not give the authority to investigate coal mines in order to prevent accidents and hazards as claimed by the Subcommittee on Mines and Mining, but the language of that act appears to be very clear. There has been some intimation that neither the Commission nor the Secretary of the Interior has had or now has available the money to make these investigations. This is about the first complaint I have heard that a commission or bureau of this administration did not have all the money it could spend or could not get all the money it could spend. This is a deficiency appropriation bill before us. Additional appropriations are being asked for by the Secretary of the Interior for the Bituminous Coal Commission and for the Bureau of Mines. In order that there may be no further complaint along this line I have offered this amendment providing that the Secretary of the Interior and the Bituminous Coal Commission may have $50,000 to be used by the Bureau of Mines to make such investigations as may be necessary to prevent accidents and hazards in coal mines.

I can see clearly, though, from the action of the chairman in charge of this bill and our Democrat friends that they will vote my amendment down.

We begin to hear on every hand now that S. 2420 is a political bill and it must be brought out to save the faces of certain persons, and that this bill will be used in the campaign this fall. It seems to me if any measure can be adopted that is constitutional, it is already in the law in this Bituminous Coal Act, and if the provisions of that act cannot be invoked to protect the miners from the hazards and accidents in coal mines, I cannot see how any act could be passed that would accomplish that purpose. The subcommittee was very positive in its opinion that the Bituminous Coal Act is broader and contains more authority than is proposed in S. 2420.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. VAN ZANDT. Do I understand that the appropriation carried by the gentleman's amendment would make possible a Federal investigation of the conditions that prevail in the bituminous coal fields of the country today?

Mr. ROBSION of Kentucky. My amendment merely authorizes an appropriation to carry out the provisions of section 14, subsection a–2. It would accomplish that purpose provided Congress has the constitutional power to pass such an act. It was strongly insisted by very able counsel that appeared before the subcommittee, of which I was not a member, that Congress has no such constitutional power, and he cited a number of recent decisions of the Supreme Court to support his contention. I think that provision in the Bituminous Coal Act contains a broader provision than is contained in S. 2420. If that is true, why not rely on the law as it is and why pass S. 2420?

Mr. VAN ZANDT. And a report would be submitted to this Congress?

Mr. ROBSION of Kentucky. Yes.

Mr. VAN ZANDT. And Congress would then enact the necessary legislation?

Mr. ROBSION of Kentucky. Congress would receive these reports and, of course, would take such action as the Congress might deem advisable and necessary.

Mr. WOODRUM of Virginia. Mr. Chairman, I make the point of order that the amendment is out of order because it is not germane to the paragraph.

I submit further that the Bureau of Mines was given $676,000,000 this year for the very purpose the gentleman seeks by his amendment appropriating money to the Bituminous Coal Commission.

Mr. ROBSION of Kentucky. I ask unanimous consent to withdraw my amendment. I will offer it to that section which applies to the Bureau of Mines.

Mr. WOODRUM of Virginia. I do not want the gentleman to labor under any misapprehension. I do not mean that the money is appropriated in this bill. There is nothing in this bill for it, but there was a separate bill for the Bureau of Mines which carried an appropriation for this item.

Mr. ROBSION of Kentucky. Mr. Chairman, may I say just one word?

Mr. WOODRUM of Virginia. Mr. Chairman, I withdraw the point of order. Let the committee vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROBSION].

The amendment was rejected.

The Clerk read as follows:

Domestic Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, and so forth, including the same objects and subject to the same conditions specified under this head in the Post Office Department Appropriation Act, 1941, $325,000.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the subcommittee or someone on the Appropriations Committee with reference to this $325,000 appearing on page 27, Domestic Mail Service, and whether or not any special routes have been laid out for which the money will be spent? In other words, how will the money be spent?

Mr. WOODRUM of Virginia. It is fully set forth on pages 20 and 21 of the report.

Mr. JENKINS of Ohio. Will the gentleman tell me briefly whether or not the routes have been established?

Mr. WOODRUM of Virginia. I understand they have been. It is rather voluminous.

Mr. JENKINS of Ohio. I will find that where?

Mr. WOODRUM of Virginia. On pages 20 and 21 of the report.

Mr. JENKINS of Ohio. I thank the gentleman for the information.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Emergency construction, Coast Guard vessels and shore facilities: For additional vessels and their equipment, and the construction, rebuilding or extension of shore facilities, including the acquisition of sites therefor, and including the construction of a floating drydock and shipways at the Coast Guard Depot, Curtis Bay, Md., to remain available until expended, $9,228,000, of which amount not to exceed 4 percent shall be available for administrative expenses in connection therewith, including personal services in the District of Columbia.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM of Virginia: On page 31, line 22, strike out "$9,228,000" and insert "$8,648,000."

Mr. WOODRUM of Virginia. Mr. Chairman, that is simply to correct a typographical error.

The amendment was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM of Virginia: On page 32, after line 2, insert a new paragraph as follows:

"General expenses: For an additional amount for general expenses, Coast Guard, including the objects specified under this head in the Treasury Department Appropriation Act, 1941, $580,000."

The amendment was agreed to.

The Clerk read as follows:

SEC. 206. Judgments against collectors of customs: For the payment of the claim allowed by the General Accounting Office covering a judgment rendered by the United States District Court for the Southern District of New York against a collector of customs, where a certificate of probable cause has been issued as provided for under section 989, Revised Statutes (28 U. S. C. 842), and certified to the Seventy-sixth Congress in House Document No. 909 (under the Department of Labor), $529.51.

Mr. COCHRAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: Page 46, line 20, insert as a new section the following:

"SEC. 207 (a). The Architect of the Capitol is hereby authorized and directed to carry into effect for the House of Representatives, and to exercise the authorities contained in, the resolution of the House of Representatives No. 590, adopted September 5, 1940, and any other resolution of such House amendatory thereof or supplementary thereto hereafter adopted. Such authority and direction shall continue until the House of Representatives shall by resolution otherwise order.

"(b) There is hereby established with the Treasurer of the United States a special deposit account in the name of the Architect of the Capitol for the House of Representatives Restaurant, into which shall be deposited all sums received pursuant to such resolution or resolutions and from the operations thereunder and from which shall be disbursed the sums necessary in connection with the exercise of the duties required under such resolution or resolutions and the operations thereunder. Any appropriation hereafter made from the Treasury of the United States for such restaurant shall be a part of the appropriation 'Contingent Expenses, House of Representatives, Miscellaneous Items,' for the particular fiscal year involved and each such part shall be paid to the Architect of the Capitol by the Clerk of the House of Representatives in such sum as such appropriation or appropriations shall hereafter specify and shall be deposited by such Architect in full in such special deposit account.

"(c) Deposits and disbursements under such special deposit account (1) shall be made by the Architect, or, when directed by him, by such employees of the Architect as he may designate, and (2) shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may direct: *Provided*, That payments made by or under the direction of the Architect of the Capitol from such special deposit account shall be conclusive upon all officers of the Government.

"(d) The Architect, Assistant Architect, and any employees of the Architect designated by the Architect under subsection (c) hereof shall each give bond in the sum of $5,000 with such surety as the Secretary of the Treasury may approve for the handling of the financial transactions under such special deposit account."

Mr. WOODRUM of Virginia. Mr. Chairman, I have no objection to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 207. This act may be cited as the "First Supplemental Civil Functions Appropriation Act, 1941."

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that section No. 207 be corrected to 208.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. HARE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I call attention to the item provided for on page 23 of the bill under the subject Bureau of Mines, line 14, appropriating $275,000 for the investigation of the domestic sources of mineral supplies. I invite attention to this item for the reason that in recent months some anxiety has been expressed by our military experts as to whether or not there will be a sufficient supply of aluminum in this country within the next 2 years to meet the requirements for the construction of airplanes provided by Congress in the national-defense program.

As I understand, Mr. Chairman, and I have obtained this information from the chairman of the committee, this item

will enable the Bureau of Mines to investigate new or additional sources of aluminum, particularly the cost of processing aluminum from koalin deposits. Investigations so far show that aluminum can be processed or obtained from kaolin, and the percentage runs from 20 to 40 percent per unit. The question involved, however, is whether kaolin can be processed and aluminum obtained at a cost that will justify the construction of plants to be used in processing these deposits in commercial proportions. Of course, it is generally understood that aluminum is indispensable in the construction of airplanes, and it is highly important that a sufficient supply of it should be available at any time. It is also understood that bauxite is probably the best source of aluminum at present. However, the greater portion of it used in this country is imported from the Guianas in South America, and it is known that if anything should develop whereby this supply or source of supply should for any reason be cut off it would then be highly important for us to know of other sources from which alumina may be obtained. Too, if it is found that alumina can be processed from kaolin as cheaply as from bauxite our manufacturers would like to know it.

Therefore, the purpose of this investigation, if made, would be to determine the approximate cost of processing the material on a commercial scale so that in case a condition should arise when it would be impossible to import bauxite from South America or obtain it elsewhere and it should be necessary for us to resort to other sources to secure aluminum, the information would be available and we would, therefore, know in advance whether or not aluminum for the purposes already mentioned can be obtained from kaolin. I felt that probably other Members of the House would be interested in knowing that this appropriation will enable the Bureau to ascertain this information.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I wonder if the gentleman had an opportunity to see the announcement the other day that Mr. Walthall, of the Tennessee Valley Authority chemical engineering research staff, had discovered a process for the extraction of alumina from kaolin and other clays.

Mr. HARE. I had noticed this report, and I understand a number of chemists have recently discovered or worked out different formulas by which alumina can be cheaply processed from kaolin. I assume the Bureau of Mines will endeavor to avail itself of these processes if they are available.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield to the gentleman from Washington.

Mr. LEAVY. Does this appropriation also make it possible to investigate the ore alunite, from which alumina is made?

Mr. HARE. I presume it does. The bill does not state specifically about that, but it does mention specifically the investigation of the domestic sources of mineral supply.

Mr. LEAVY. It is my understanding that it is intended to cover alunite as well as kaolin.

Mr. HARE. I would not be prepared to say so, because the hearings were not before the subcommittee of which I am a member.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill, H. R. 10539, the first supplemental civil functions appropriation bill, 1941, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

DISAPPOINTMENT EXPRESSED IN YARDSTICK USED BY DIES COMMITTEE TO DETERMINE UN-AMERICANISM IN CONNECTION WITH NAZI PROPAGANDA—KEEP THE RECORD STRAIGHT—LET ONLY AMERICANS STAND GUARD

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and include therein certain excerpts in explanation thereof.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I desire to express disappointment in the action of the Dies un-American activities committee for the way the charges against Lt. Col. Carl Byoir were handled and disposed of.

During the latter part of May and the first part of June, this year, in two or three speeches on the floor of the House, I called attention to the Dies committee of the fact that Lt. Col. Carl Byoir, Specialists Reserves, has been the first Hitler propagandist in this country and that he laid the groundwork, helped formulate the plans, and commenced the largest propaganda machine ever established in any country on the face of the earth for the purpose of trying to make the American people prefer a Hitler dictatorship to our own form of government, which is ruled by the people.

The Dies committee is composed of the following members: Representative DIES (chairman), DEMPSEY, STARNES of Alabama, VOORHIS of California, CASEY of Massachusetts, MASON, and THOMAS of New Jersey.

Chairman DIES appointed Representatives DEMPSEY, CASEY of Massachusetts, and MASON to investigate the charges. July 15, 1940, the subcommittee, without giving me, the author of the charges, any notice whatsoever, issued a statement to the effect that the commitee found satisfaction in clearing Mr. Carl Byoir of the charges made against him, and recommended that a resolution covering a complete exoneration of Mr. Byoir be voted by the full committee as soon as possible. I immediately protested the action of this subcommittee, because it had acted in an undue haste; had not permitted me, the author of the charges, to be heard; and for making public a subcommittee report before it was passed upon by the full committee. I pointed out that his exoneration would place Byoir in line for appointment in connection with the administration of the Selective Service Act soon to be passed.

August 29, 1940, I was given a hearing before the Dies committee on the charges. Unrevised copies of the hearings are available and may be obtained from the Dies committee.

In my testimony I showed beyond a doubt that Lt. Col. Carl Byoir had been the first and the highest-paid Hitler agent in this country, and sustained every charge that I had made in connection with his un-American activities in representing a foreign government while a lieutenant colonel in our own Army Reserves.

In order to keep the record straight, I submit that the following testimony was furnished the Dies committee, and it is uncontradicted:

1. January 30, 1933, Adolf Hitler came into power in Germany. There was an immediate influx of more money, more literature, and more power into American propaganda channels. An effort was then made to place as many "fifth columnists" as possible in our Army and armed forces.

2. Carl Byoir, a New York publicity man, was also lieutenant colonel in the Army, Specialists Reserves. He had been a lieutenant

colonel less than 2 years. He accepted $4,000 in cash from the German Consul in New York to spread Nazi propaganda in this country. This money was paid within 2 or 3 months after Hitler came into power.

3. Lt. Col. Carl Byoir furnished German agents and German representatives lists of people over the entire Nation to contact and he, himself, contacted some of them for German representatives.

4. German agents were smuggled in and out of the country at will.

5. Lt. Col. Carl Byoir sent George Sylvester Vierick, who called himself "The Kaiser's spokesman in America," and who has always been a German propagandist in the United States, to Germany in August 1933, for the purpose of securing for him, Lt. Col. Carl Byoir, a contract with the German Government to disseminate Nazi propaganda in the United States.

6. George Sylvester Vierick, when in Germany in August 1933 conferred with Hitler, himself, and other prominent German officials and discussed with them the employment of Lt. Col. Carl Byoir on a more permanent basis. Byoir was then on the pay roll of the German consul in New York.

7. A contract was given Carl Byoir by a front organization for the German Government, known as the German tourists' information office, but which was approved by the German minister of propaganda, which provided that Byoir would receive $6,000 a month for 18 months and, specially, "to promote trade between the United States and Germany and to build good will between the peoples of both countries." It was dated November 22, 1933. (Germany has always used tourist information offices in the different countries as a front to disseminate Nazi propaganda.)

8. In pursuance of that contract, Carl Byoir and George Sylvester Vierick occupied the same office in New York City and their relationships were such that they were partners. This partnership—Carl Byoir and George Sylvester Vierick—then continued to flood this country with Nazi propaganda.

9. Byoir and Vierick established and maintained a propaganda office in Berlin, Germany. Much of the Nazi propaganda, including anti-Semitic and church and state, came to this country from their Berlin office and was disseminated from their New York office.

10. Byoir and Vierick continued their activities in behalf of Hitler and the Nazi German Government in the years 1933, 1934, and 1935. All during this time, Byoir was, and is now, a lieutenant colonel in the Army Reserves.

11. The Dies committee has information in its files that Lt. Col. Carl Byoir was representing Germany in 1938.

12. Lt. Col. Carl Byoir stated in 1938 that he represented American industry with assets of $14,500,000,000. The Dies committee did not make a diligent effort to find out the concerns that he was representing at that time and whether or not they had any connection with German interests. To the Dies investigation, he only accounted for a small part of such enormous assets that he claimed to represent.

13. During the time that Lt. Col. Carl Byoir was representing Hitler, German "fifth columnists" were swearing falsely for the purpose of getting into the National Guard in New York and in other cities. In other words, they were swearing that they were American citizens, when they were aliens. Different "front" organizations for the Nazis were also being organized over the Nation. In other words, Lt. Col. Carl Byoir laid the groundwork and started Hitler's Nazi propaganda in this country and was, therefore, the first Hitler Trojan horse to enter the United States for Hitler.

14. George Sylvester Vierick is now registered with the Department of State as a German agent. He is still flooding this country with Nazi propaganda literature from 17 Battery Place, New York. He is under contract with Germany to color the news favorably to Germany. He is still trying to make the people in this country desire a Hitler dictatorship in preference to our own great form of government.

I invite any member of the Dies committee to deny either of these allegations.

It was my contention before the committee, and is now, that any lieutenant colonel in active service or inactive service who has ever, at any time, represented a foreign government for the purpose of disseminating that foreign government's propaganda in this country, should be immediately dismissed from the service. Further, action should be taken as the facts in the case and the laws of our country warrant.

It is my understanding that at the conclusion of the hearing, August 29, and before the testimony was examined or even copied, the committee decided to adopt the July 15 report of the subcommittee exonerating Lt. Col. Carl Byoir. Those present at this meeting were: DIES, chairman, presiding; CASEY; MASON; and VOORHIS of California. It will be noticed a majority of the voting members present had already prejudged the case and were naturally in a position of having every reason to want to justify their former action.

Again, on September 10, 1940, the full committee had another meeting, composed of: STARNES of Alabama, acting chairman; MASON; CASEY; and VOORHIS of California, at which Byoir was again exonerated. It will be noticed at this meeting that Representatives MASON and CASEY constituted a majority of the voting members and would naturally like to justify and uphold their former action.

If the Dies committee is willing to set the above standard to govern its actions in the future, there is nothing I can do about it except protest, which I am now doing.

EVERY GERMAN ALIEN ENTERING COUNTRY DURING BYOIR CONTRACT WITH HITLER SHOULD BE INVESTIGATED

Although I would not charge that Lieutenant Colonel Byoir had anything personally to do with the German alien who kidnaped the De Tristan baby coming into this country, yet it is a fact that this alien, Jakob Muhlenbroich, came into the United States during the time that Lt. Col. Carl Byoir was representing and trying to build up Hitler in this Nation. At that time, all of the Germany "fifth columnists" that it was possible for Hitler to get into this country were coming here, some under quota, some not under quota. Every German alien who came to this country during the time Byoir was known to have been representing Hitler should be immediately investigated. They should have been investigated before now.

I desire to particularly express disappointment in the committee's failure to determine whether or not any of the concerns represented by Lt. Col. Carl Byoir had given employment to these "fifth columnists," which came in under quota or were smuggled in during the time he represented them.

At this time, it is my understanding from information which I am willing to rely upon, that Lt. Col. Carl Byoir is the representative of the following concerns:

1. Schenley Distillers Corporation—which, as of December 31, 1939, controlled 100 percent of the voting power of the following-named concerns:

Astor Pure Rye Distilling Co.
Baird-Daniels Co., Inc., Missouri.
The J. T. B. Co., Maryland.
B. of A. Co., Delaware.
Belmont Distilling Co.
The A. B. Blanton Small Tub Distilling Co., Maryland.
Henry C. Distilling Co., Pennsylvania.
Clifton Springs Distilling Co., Delaware.
The Cove Spring Distilling Co., Maryland.
Geo. A. Dickel & Co., Delaware.—Distilling, Lexington, Ky.
Geo. A. Dickel Distilling Co., Delaware.
Rontang Distilleries, Inc., Pennsylvania.
Joseph S. Finch & Co., Pennsylvania.—Distilling and warehousing, Schenley, Pa.
The Gibson Distilling Co., Maryland.—Rectifying, blending, and bottling plant, Aladdin, Pa.
The Greenbrier Distilling Co., Maryland.
The Melvale Distillery Co., Maryland.
Merit Advertising Agency, Inc.
The Monticello Distillery Co., Maryland.
Napa Valley Wine & Brandy Co., Inc., Maryland.
The New England Distilling Co., Kentucky.—Distilling, Covington, Ky.
Bernheim Distilling Co., Kentucky.—Distilling, Louisville, Ky.
Number One Distilling Co., Pennsylvania.
Old Charter Distillery Co., Delaware.
The Old Quaker Co., Maryland.—Distilling, Lawrenceburg, Ind.
Jas. E. Pepper & Co., Kentucky.—Distilling, Lexington, Ky.
Registered Brands, Inc., Kentucky.
Schenley Distilleries, Inc., Maryland.—Bottling plant and warehouse, San Francisco, and brandy distillery at Manteca, Calif.
Schenley Distributors, Inc., New York.—Distributing agent, New York State.
Schenley Distributors of New England, Inc., Massachusetts.—Selling, New England States.
Schenley Import Corporation, New York.—Imports wines, spirits, cordials, etc.
Schenley International Corporation, Delaware.
Schenley Products Co. (Pa.), Pennsylvania.
Schenley Research Institute, Inc., New York.
The Geo. T. Stagg Co., Kentucky.—Distilling, Frankfort, Ky.
The Steinhardt Co., Inc., New York.—Whisky-blending plant, New York City.
Sam Thompson Distilling Co., Maryland.
United American Co.
The Wilken Family, Inc., Pennsylvania.

2. Freeport Sulphur Co., which also controls the Cuban-American Manganese Corporation. He has represented this company since 1935. (In the latter part of 1936 Lt. Col. Carl Byoir also became the public relations and publicity representative of the State of Louisiana, which relationship continued through 1938. In July 1936 the production tax on

sulfur in Louisiana was increased from 60 cents per ton to $2, which continued until July 27, 1938, when it was reduced to the present rate of $1.03 per ton.)

3. Libbey-Owens-Ford Glass Co.:

SUBSIDIARIES

This is principally an operating company. At December 31, 1939, 100 percent of the voting power was owned in the following subsidiaries:

Name, place of incorporation, and business:

Blairsville Glass Co.
Peacock Laboratories, Inc.
The Thermopane Co.

Subsidiaries in which less than 100 percent of the voting power was owned were as follows:

The American Bicheroux Co. (55 percent), patent holding company.

In addition, the company has investments in the foreign companies listed below. These are not regarded as being in the nature of subsidiaries:

Compagnie Internationale pour La Fabrication Mecanique du Verre, S. A. (see appended statement).
Nippon Sheet Glass Co., Ltd., Futashima, Japan.
The Canadian Libbey-Owens Sheet Glass Co., Hamilton, Ontario.
Societe Franco-Belge pour La Fabrication Mecanique du Verre St. Etienne and Lens, France.
Compagnie Reunies de Glaces et Verres Speciaux du Nord de la France.
Deutsche Libbey-Owens Gesellschaft fuer Maschinelle Glasherstellung Aktiengesellschaft, Gelsenkirchen, Germany.

4. Aluminum Co. of America:

SUBSIDIARIES AND AFFILIATES

Both an operating and holding company. As of February 16, 1940, the following were the principally wholly owned subsidiaries:

Name, place of incorporation, and business:

Alton & Southern Railroad, Illinois, a common-carrier railroad which serves company's St. Louis plant.

Aluminum Colors, Inc., Delaware, licenses oxide or anodic treatment and coloring of aluminum.

The Aluminum Cooking Utensil Co., Pennsylvania, cooking utensils.

Aluminum Ore Co., Delaware, makes alumina from bauxite.

Aluminum Seal Co., Pennsylvania, closures for bottles and containers.

Bauxite & Northern Railway Co., Arkansas, common-carrier railroad linking mines with trunk railroads.

Carolina Aluminum Co., North Carolina, smelts aluminum at Badin, N. C.

Cedar Rapids Transmission Co., Ltd., Canada, transmits electricity to Canadian border for use of Massena plants.

Kensington, Inc., Pennsylvania, sells giftware and similar articles.

Knoxville Power Co., Tennessee, distributes electricity near Alcoa, Tenn.

Massena Securities Corporation, New York, holding company.

The Massena Terminal Railroad Co., New York, a common-carrier railroad linking Massena with trunk railroads.

Nantahala Power & Light Co., North Carolina, generates, transmits, distributes electricity to public in western North Carolina and owns undeveloped water-power sites.

Ocean Dominion Steamship Corporation, New York, operates steamships between South America, United States, and West Indies.

The Republic Mining & Manufacturing Co., Delaware, owns and operates the United States bauxite properties.

St. Lawrence River Power Co., New York, generates, transmits, and sells electricity.

St. Louis & Ohio River Railroad, Illinois, common-carrier railroad serving company's St. Louis plant.

Surinaamsche Bauxite Maatschappij, Dutch Guiana, holds and operates bauxite mines in Dutch Guiana.

The United States Aluminum Co., Pennsylvania, fabrication of aluminum products.

Also, as of February 16, 1940, company or subsidiaries numbered among investments the following:

Aluminum Manufactures, Inc. (77.25 percent), Delaware, aluminum products.

Aluminum Goods Manufacturing Co. (26.91 percent), New Jersey, cooking utensils and other products.

American Lumber & Treating Co. (35.74 percent).
American Magnesium Corporation (50 percent).
Magnesium Development Corporation (50 percent).
National Aluminate Corporation (27.5 percent).
Republic Carbon Co (33.33 percent).
Skibsaktieselskapet Karaibien (40 percent).

5. The Great Atlantic & Pacific Tea Co., of America:

SUBSIDIARIES

Company controls the following concerns through ownership of entire capital stock:

Great A. & P. Tea Co. (N. J.)
Great A. & P. Tea Co. (Ariz.)
Great A. & P. Tea Co. (Nev.)
Great A. & P. Tea Corporation.
Great A. & P. Tea Co. (Ltd.).
Quaker Maid Corporation.
Quaker Maid Co., Inc.
Nakat Packing Corporation.
Felton Packing & Manufacturing Co.
Packers Supply Co.
Great American Tea Co.
American Coffee Corporation.
Atlantic Commission Co.
Atlantic Warehouses, Inc.
Whitehouse Milk Co., Inc.
A. & P. Food Stores, Inc.
Stores Publishing Co., Inc.
The Great Atlantic & Pacific Co., of Vermont, Inc.

BUSINESS AND PRODUCTS

Controls through stock ownership companies operating about 13,300 chain grocery stores (including meat departments) in 39 States and the District of Columbia in the United States and 2 provinces in Canada. Stores are supplied from 62 warehouses located in the principal cities. These subsidiaries also operate 35 bakeries, 4 salmon canneries in Alaska, 6 manufacturing plants, 3 cheese plants, 4 laundries, and a printing plant.

6. Continental Can Co.:

SUBSIDIARIES

On December 31, 1939, held 100 percent voting power in the following subsidiaries:

(Name, place of incorporation, and business)

Continental Can Co. (Pa.)—Can manufacturing.
Continental Can Co., of Canada, Ltd. (Canada)—Can manufacturing.
Dixie Canner Co. (Ark.)—Sales.
Millbrook Warehouse Corporation (N. Y.)—Finance.
Nashville Corrugated Box Co. (Tenn.)—Paper boxes.
Sociedad Industrial de Cuba, S. A. (Cuba)—Can manufacturing.
Standard Tin Plate Co. (Pa.)—Tin-plate manufacturing.
Canonsburg Coal Co. (Pa.)—Coal mining.

A subsidiary in which voting power held was less than 100 percent was:

The Whittall Can Co., Ltd. (99+ percent)—Inactive.

On December 31, 1939, company owned 100,000 shares or 8 percent of Metal Box Co., Ltd.

7. North American Co.:

BUSINESS

The company is a holding company. Principal operating companies serve a total area of approximately 18,130 square miles, having an estimated population of 5,105,000 and including 672 communities to which various classes of public-utility service are furnished. North American controls, through stock ownership, representing at least 75 percent of the common stock and a majority of the voting stock, four of five groups of companies. The District of Columbia group is controlled by Washington Railway & Electric Co., in which North American has approximately a 90-percent common-stock interest but less than a majority of voting stock. The electric properties in each group form a distinct interconnected power system. Summaries of the major operations of each group, together with the companies comprising the group, follow:

District of Columbia group: Potomac Electric Power Co.; Braddock Light & Power Co.: Electric service in Washington, D. C., and 31 other communities in adjoining sections of Maryland and Virginia. Territory served, area 631 square miles, population 820,000. Washington Railway & Electric Co., the subholding company through which the foregoing companies are controlled, was not a majority-owned subsidiary at December 31, 1939, nor was it and its subsidiaries included in consolidated accounts at December 31, 1939.

Ohio group: The Cleveland Electric Illuminating Co.: Electric service in Cleveland and 132 other communities. Territory served extends 100 miles along Lake Erie, area 1,700 square miles, population 1,300,000.

Missouri-Illinois-Iowa group: Union Electric Co. of Missouri; Union Electric Co. of Illinois; Mississippi River Power Co.; Iowa Union Electric Co.; the St. Louis County Gas Co.; Electric service in St. Louis, Mo., and East St. Louis and Alton, Ill., and 123 other communities in the Mississippi Valley. Gas service in St. Louis County, Mo., Alton, Ill., and Keokuk, Iowa. Territory served, area 3,113 square miles, population 1,540,000.

Kansas-Missouri group: The Kansas Power and Light Co.; Missouri Power & Light Co.; Nebraska Natural Gas Co.; Kewanee Public Service Co.: Electric service in Topeka, Atchison, Salina, Jefferson City, Kewanee, and 394 other communities in Kansas, Missouri, and Illinois; population of territory served 410,000. Gas service in Atchison, Salina, Jefferson City, Kewanee, and 133 other communities in Kansas, Nebraska, Missouri, and Illinois; population of territory served 260,000.

Wisconsin-Michigan group: Wisconsin Electric Power Co.; Wisconsin Gas & Electric Co.; Wisconsin-Michigan Power Co.; the Milwaukee Electric Railway & Transport Co.: Electric service in Milwaukee, Racine, Kenosha, Waukesha, Watertown, Appleton, Iron Mountain, and 355 other communities in Wisconsin and Upper Peninsula, Mich. Gas service in Racine, Kenosha, Watertown, Appleton, and 64 other communities in Wisconsin. Transportation

service in Milwaukee and surrounding territory and in Racine, Kenosha, and Appleton. Territory served, area 12,686 square miles, population 1,515,000.

In addition, company has a substantial majority interest in Detroit Edison Co. and Pacific Gas & Electric Co. and through North American Light & Power Co. a minority stock interest in Northern Natural Gas Co. and Illinois-Iowa Power Co.

SUBSIDIARIES

(Company designates as subsidiaries only those companies in which it owns at least 75 percent of the common stock and a majority of the voting stock.)

Company and type of business (all 100 percent common controlled unless otherwise stated):

Union Electric Co. of Missouri.—Electric, heat, also holding company.
Union Electric Co. of Illinois.—Electric and gas; Union Colliery Co.—Coal company.
Mississippi River Power Co. (99.82 percent).—Electric.
Iowa Union Electric Co.—Electric, gas.
Cupples Station Light, Heat & Power Co.—Electric, heat.
St. Charles Electric Light & Power Co.—Electric.
Lakeside Light & Power Co.—Electric.
Union Electric Land & Development Co.—Land company.
St. Louis & Belleville Electric Railway Co.—Electric railway.
St. Louis & Alton Railway Co.—Owns electric railway leased to Illinois Terminal Railroad Co.
East St. Louis & Suburban Railway Co.
East St. Louis Railway Co.
Wisconsin Electric Power Co.—Electric, heat.
Wisconsin General Railway.—Land company.
Milwaukee Electric Railway & Transport Co.—Transportation.
Badger Auto Service Co.—Parking stations and gasoline filling stations.
Wisconsin Gas & Electric Co.—Electric, gas, heat, and transportation.
Wisconsin-Michigan Power Co.—Electric, gas, transportation.
Milwaukee Light, Heat & Traction Co.—Land company.
Hevi-Duty Electric Co. (73.8 percent)—Electric furnace construction.
Cleveland Electric Illuminating Co. (79.49 percent)—Electric, heat.
The Power & Light Building Co.—Real-estate company.
Ceico Co.—Land and metering company.
North American Light & Power Co. (84 percent)—Holding company.
Kansas Power & Light Co.—Electric, gas, heat, water, ice, and transportation.
Missouri Power & Light Co.—Electric, gas, heat, water, ice.
The Blue River Power Co. (50 percent)—Electric.
Nebraska Natural Gas Co.—Gas.
The McPherson Oil & Gas Development Co.—Gas production.
Power & Light Securities Co.—Miscellaneous investments.
North American Oil & Gas Co.[1]
Illinois Traction Co. (99.95 percent)—Holding company.
Kewanee Public Service Co.—Electric, gas.
Cahokia Manufacturing Gas Co.—Sells gas at wholesale only.
Western Illinois Ice Co.—Ice.
St. Louis County Gas Co.—Gas.
West Kentucky Coal Co. (N. J.)—Coal.
West Kentucky Coal Co. (Del.)—Coal sales.
Peoples Coal Co.—Coal sales.
St. Bernard Coal Co.—Coal sales.
60 Broadway Building Corporation—Real-estate company.
North American Utility Securities Corporation (80.6 percent)—Investment company.

SUBSTANTIAL MINORITY INVESTMENTS

Company and type of business (all common 100-percent owned, unless otherwise stated):

Washington Railway & Electric Co. (89.79 percent)—Holding company.
Potomac Electric Power Co.—Electric.
Great Falls Power Co.—Land company.
Washington & Rockville Railway Co. of Montgomery County—Holding company.
Braddock Light & Power Co., Inc.—Electric.
Capital Transit Co. (50 percent)—Transportation.
Montgomery Bus Lines, Inc.—Transportation.
The Glen Echo Park Co.—Amusement park.
The Washington & Glen Echo Railroad Co. (98.5 percent).[1]
Illinois-Iowa Power Co. (40.47 percent)—Electric, gas, heat, water, ice, and transportation; also holding company.
Des Moines Electric Light Co.—Electric, gas, and heat; also holding company.
Iowa Power & Light Co.—Electric, gas.
Illinois Terminal Railroad Co.—Railroad company.
Central Terminal Co.—Warehouse company.
Bloomington & Normal Railway, Electric & Heating Co.[1]
The Brighton Electric Light & Power Co.[1]
Cairo City Gas Co.[1]
Champaign & Urbana Gas Light & Coke Co.[1]
Chicago & Illinois Valley Railroad Co.[1]
Danville Gas Light Co.[1]
Decatur Electric Co.[1]
The Decatur Light, Heat & Power Co.[1]
Elkhart Electric Light Co.[1]
The Jacksonville Gas Light & Coke Co.[1]
Jacksonville Railway & Light Co.[1]
St. Louis Electric Terminal Railroad Co.[1]
Venice Gas Co.[1]
Detroit Edison Co. (19.29 percent)—Electric.
Pacific Gas & Electric Co. (32.89 percent)—Electric, gas.
Northern Natural Gas Co. (35 percent)—Gas.

[1] Inactive or in process of dissolution.

8. Goodrich Tire and Rubber Co.:

The assets represented by these concerns aggregate about $2,000,000,000. Although this is a large amount, it is far short of $14,500,000,000, which Lt. Col. Carl Byoir admittedly stated in 1938 that he represented. I am disappointed because the Dies committee did not further investigate this matter and determine the names of the other concerns he represented and whether or not any of them had been persuaded to use the "fifth columnists" that were brought into this country during the time that Lt. Col. Carl Byoir admittedly represented the German consul in New York and Adolf Hitler.

IMPORTANT TESTIMONY CAN ONLY BE OBTAINED BY CONGRESSIONAL RESOLUTION

I am further disappointed in the failure of the Dies committee to seek the passage of a resolution in Congress which would have given the committee the power to have examined secret instruments, documents, and testimony obtained by the McCormack committee in 1934 and 1935, which are now in the Congressional Library and can only be examined after the passage of such a resolution.

On June 6, 1940, I delivered to the investigator for the Dies committee a letter which I had received from one purporting to be a citizen of New Jersey, only a short distance from New York City, which was written in the person's own handwriting and which gave her correct street address, as follows:

DEAR SIR: I saw in one of the New York papers where you had accused the firm of Carl Byoir of being the head of the Nazi movement in the United States of America and where he denied it.

My daughter worked for Carl Byoir, and they even had Nazi reps right there. Carl Byoir went to Germany personally to receive the money which financed their work in the United States of America. They were connected with the Friends of Germany, and people came in there who were only known by numbers among the employees. George S. Viereck was also connected with the firm. They had doors cut through to other streets and through other buildings, so they could come and go without being seen. He subscribed to a clipping bureau for Hitler, and of all the filthy obscene conversations and actions. Then that year he got some publicity for it, and to cover up he got himself appointed on the committee for the President's birthday ball. One woman secretary (a Nazi) took care of the more secret work, and she was rabid.

Just thought this might interest you.

Sincerely yours,

———.

I gave this letter to the Dies investigator. He went to New Jersey to see this lady and was informed by her daughter, who worked for Byoir, that she had given full and complete information to the McCormack committee to corroborate everything that her mother had said in this letter. The Dies investigator came back to Washington for the purpose of examining the papers and documents that were filed with the McCormack committee. The investigator discovered, however, that they were placed in the Congressional Library under lock and key with instructions not to permit anyone to see them, except in pursuance of a resolution passed by Congress. The investigator made this report to the Dies committee and nothing was done towards securing permission to see these papers that would corroborate the information in this letter.

UNHEALTHY SITUATION FOR COUNTRY

It will be noticed that Lt. Col. Carl Byoir represents great wealth in this country and naturally has much power and influence. Although I do not claim that the press generally is intimidated by Lt. Col. Carl Byoir and the three or four other great public-relations men in this Nation, who represent practically all of the national advertisers, I do say it is an unhealthy situation for a country. As evidence of this fact,

[1] Inactive or in process of dissolution.

recently a newspaper owner stated that he would like to carry a certain story, which he knew to be true and which would be in the public interest, if it were published, but that he could not afford to carry it unless at least three-fourths of the other newspapers in the country carried it. He expressed the fear that his newspaper would be destroyed in a very short time if he were to get out of line. He stated that three or four public-relations men in this country could withdraw practically all of his advertising, which would destroy his business in 30 or 60 days. Byoir alone could withdraw a large part of it.

BYOIR REPRESENTS TRUSTS THAT SPEND MONEY FOR ADVERTISING

It is a well-known fact that the glass trust, the aluminum trust, the can trust, the sulphur trust, and the liquor trust all represented by Lt. Col. Carl Byoir spend lots of money for advertising. It is reasonable to assume that the newspapers and magazines that deal with him in a way that he considers fair will certainly get their share of advertising from these concerns, but if he does not believe that they are dealing fairly with them, it is reasonable to assume that they will not get the advertising that they would get otherwise and possibly none at all.

WHY WESTRICK NOT INTERROGATED

I cannot understand why Dr. Gerhard A. Westrick, German Trade Envoy, was allowed to leave the country before being questioned by the proper authorities. It is evident that he was having business relations with some of the biggest concerns in America, and, doubtless, had in mind leading the people to believe that we should accept the theory that Germany was going to win and that we should now get ready to do business with Germany.

I respectfully submit that three or four such men in America have more power today over the means of communication to the people than any other group or class, or even the United States Government.

I respectfully suggest that in this trying time through which we are now going that George Washington's admonition that only Americans should be permitted to stand guard should be heeded.

EXTENSION OF REMARKS

Mr. KEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a letter I have addressed to the chairman of the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, in tribute to the beloved Speaker William B. Bankhead, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a statement on Mr. Bankhead.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a statement by Colonel Myers, of the Aviation Defense Association.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a communication recently made to the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I have two requests. First, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. THORKELSON. My second request is to extend my own remarks in the RECORD and include therein quotations from publications.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

FORT DEVENS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a brief description of Fort Devens, which is situated in Ayer, Mass., in my district.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, when Fort Devens is entirely completed it will be one of the most beautiful forts in the entire country and will play an extremely active part in our great national-defense program, just as it did during the World War, when it started as an Army camp.

Yesterday I attended the first annual drum corps competition held at Fort Devens. It was held under the auspices of the St. Mary's Church of Ayer, Mass., with Fort Devens acting as host. I was invited to attend as special guest by Father Flaherty, a young priest at St. Mary's Parish, which gave me special pleasure, as he won my medal presented to the most outstanding C. M. T. C. student 4 years ago at Fort Devens.

Mr. Speaker, yesterday, at Fort Devens, as I watched the competition of some 20 drum corps units, I realized that probably in no other nation in the world today would such a peacetime parade take place. I vowed anew to keep this country at peace.

The young girls and boys who marched were in the gay, cheerful colors of the various organizations that participated. It was a triumphant parade if you will. Many of the boys and girls who marched were sons and daughters of men who fought in the World War. They carried themselves proudly because of their splendid heritage.

The competing units showed in their marching, in their drills, the results of training, the results of sacrifice. They proved what preparation and cooperation can accomplish even in the very young, because some of them were little children.

There were thousands watching the marchers; among them were the enlisted men of the fort, dressed in their khaki. Eager faced and fine were these men who have entered the Army to serve and to protect America. The khaki uniform to me is a symbol of courage, of self-sacrifice, of honor, of patriotism. These young soldiers brought back to my mind the early days of Devens when it was a camp and the frantic rush to train men for the World War, and then I recalled the return of our soldiers after their winning the war and the triumphal review there of an entire division of gallant World War veterans, and recalled the return of the sick and the wounded. Then came peacetime training of the Regular Army, the summer training of the Twenty-sixth Division of the National Guard, the training of the R. O. T. C., the C. M. T. C., and the camp at Devens for the C. C. C.

Mr. Speaker, may I thank at this time the Members of the House and Senate who helped me to have Camp Devens made Fort Devens when it was planned to abandon it. I wish to thank also the Members of Congress who have helped me fight to develop and strengthen Devens in recent years. I am most sincerely grateful. I appreciate all that the various Army officers have planned and have accomplished to make Fort Devens such a fine, beautiful Army post. It is ideally located

on fine, hard, extra good, healthy soil, splendid railroad and other transportation facilities. It has a good natural landing field. It is in a splendid community.

As I watched the scene yesterday at Fort Devens I saw the picture of the future of Devens—the reception center already begun to take a thousand men—and the important part Fort Devens will play in training in the near future a division of men for the protection of our Nation. It will give to thousands of young men the opportunity, the great privilege, of training in time of peace. It will give them a chance to learn how to safeguard themselves. It will give them a vital part in our national-defense program. Truly Fort Devens has a great future.

The program and a brief history of Fort Devens, by Miss Helen McGuane, is as follows:

FIRST ANNUAL FORT DEVENS DRUM CORPS COMPETITION

Rogers Parade Grounds, Sunday, September 22, 1940

Prize donors: Bishop Richard J. Cushing, Congresswoman Edith Nourse Rogers, Mayor Maurice J. Tobin, of Boston; Lt. John J. McDonnell, Ayer Board of Selectmen, Miss Bette Dumaine, Ayer Hunt and Gun Club.

PARTICIPATING UNITS

1. St. Mary's Corps, Ayer.
2. Guy de Fontgalland, Jr., Fitchburg.
3. Holy Name Band, Roxbury.
4. Sacred Heart Crusaders, Malden.
5. St. Catherine's Corps, Norwood.
6. St. Anne's Crusaders, Lawrence.
7. St. Ann's Band, Neponset.
8. St. Mary's Senior Band, Cambridge.
9. St. Mary's Junior Band, Cambridge.
10. Sacred Heart Cadets, Woburn.
11. Jewish W. V. Corps, Chelsea.
12. Leominster Eagles, Leominster.

Committee: Col. William Smith, post commander; Lt. Col. Albert F. Christie, recent post commander; Major MacIntosh, chief of judges; Lt. John J. McDonnell, master of ceremonies; Lt. Walter T. McCracken, assistant master of ceremonies.

Assisting committee: Rev. W. L. Flaherty, Mr. J. J. Dwyer, Mr. R. L. Stevenson, Mr. Stanley Knox, Mr. Frank Knox, Mrs. P. Mullen, Mrs. Sullivan, Mrs. Hyde, Mrs. Wainwright, Mrs. J. J. Barry, Mrs. Carrigan, Mrs. Watson, Mrs. J. Markham, Mrs. M. Markham, Mrs. P. McGuane, Mrs. Hurley, Mrs. Corneillier, Mrs. Cass, Mrs. Perreault, and members of St. Mary's Corps.

A BRIEF HISTORY OF FORT DEVENS

(By Miss Helen McGuane)

Hard on the declaration of war with Germany on April 6, 1917, came the problem of raising an army to send to Europe to join the allied forces. Our Navy, being better prepared than the Army, was mobilized on the day war was declared. On the other hand, we had a Regular Army of approximately only 200,000 men, since there was no system of compulsory military training such as existed in many European countries. Consequently, Secretary of War Baker submitted to Congress the recommendations of the General Staff for filling the quotas of the Regular Army and the National Guard both by volunteer enlistment and by a selective draft. One provision of the Selective Service Act, passed on May 28, 1917, allowed the President to raise a volunteer infantry force of four divisions and required the registration of all men between the ages of 21 and 30. On June 5, 1917, about 10,000,000 young men were enrolled. Six weeks later about 1,500,000 men were drafted, and of this number 687,000 were retained for service. These were apportioned among 16 cantonments, while the National Guard, having been called to Federal service, were sent to 16 other camps. These 32 camps, with all their apparatus, were built within a few months' time, at a cost of $200,000,000.

Let us now turn to one cantonment in particular—Fort Devens as it is now called—Camp Devens as it was called in 1917. Camp Devens was named in honor of Gen. Charles Devens, one of New England's soldiers in the Civil War. The site for the camp was selected by a group of Army officers, among them Maj. Gen. Clarence R. Edwards, and a few civilians. The land selected, covering an area of around 10,000 acres, for the most part waste land, was located in Ayer, Shirley, and Harvard. Farms which happened to be located in that section were purchased by the Government and the people moved to other homes. Early in June the leases on the land were signed, the contracts awarded to the Fred T. Ley Co., of Springfield, and on June 18 the laborers began to arrive.

In a remarkably short space of 9 weeks' time the land was cleared, wooden barracks constructed, and on September 1, Camp Devens was ready to receive her quota of men to be trained for war. Here, under the command of Maj. Gen. Harry Foote Hodges, were to be trained the men of New England and northern New York State. This camp was the first to be completed. On September 5 arrived the first men of the first draft trained at Camp Devens. Two divisions were trained here—the Seventy-sixth Division and the Twelfth or Plymouth Division.

Nonmilitary organizations combined with the military authorities to provide entertainment and recreation for the soldiers. Among these organizations were the Knights of Columbus, the Salvation Army, the Y. M. C. A., and the Jewish Welfare Board. The Red Cross aided in caring for the wounded soldiers who came from France to the base hospital at the camp. Weekly a delegation of actors came from Boston to entertain the encamped men. Prominent among these was Fred Stone. A hostess house was built under the auspices of the Y. W. C. A. for the benefit of the women who came to visit members of their families who were at the camp.

Following the signing of the Armistice, preparations were made for the demobilization of the men who were at the camp. Here too came many units from France to be discharged. This process lasted until the spring of 1919. After the war the camp was not abandoned, but the leased land purchased and a permanent army post established. In 1922 the Thirteenth and Thirty-sixth Regiments were stationed here for general maintenance of the camp. In the summer the regiments engaged in training the C. M. T. C. and R. O. T. C. summer training camps authorized by the National Defense Act. In 1927, camp reached its lowest ebb when it was placed on a caretaking basis. In 1929, a detachment of troops from the Fifth Infantry Regiment of Maine entered the camp to protect the permanent buildings. In 1933, the camp became Fort Devens. Here in 1933 came the boys of the C. C. C. From 1927 up to the present time an extensive building program has been carried out.

What a far cry from the Camp Devens of 1917 is the Fort Devens of 1940. Red brick barracks forming a quadrangle. Beyond these the officers' quarters, also of red brick. Between the two the green, well-cared-for parade ground—Rogers parade ground—named in honor of the late John Jacob Rogers, long a Representative from this congressional district. Nearby the attractive quarters of the noncommissioned officers. A hospital, a church, a theater, a commissary, and a post exchange combine to make Fort Devens sufficient unto itself. Smooth concrete roads throughout the post provide quick and easy transportation. Near the railroad are located the warehouses. At the present time, this being a C. C. C. supply depot, many of the warehouses are used for storing the materials of that organization.

Fort Devens is the largest and one of the most modern Army posts in the United States. Varied have been the pictures presented by this post in the short 23 years of its existence. Many happy thoughts are associated with the name Fort Devens. Busy was the town of Ayer in 1917, bustling with the activity and the novelty of an Army cantonment in that quiet town. There is a question in the minds of the citizenry today—What will be the future of Fort Devens?

My answer to Miss McGuane's query, What will be the future of Fort Devens?, is that Fort Devens will prove even greater in the future than it has in the past.

ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute in order to ask the gentleman from North Carolina [Mr. WARREN] what the program for tomorrow is.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WARREN. Mr. Speaker, the only program will be the consideration of two rules on bills from the Judiciary Committee, one to amend the act providing punishment for willful injury or destruction of war materials and the other to permit assignment of claims under public contracts.

Mr. MICHENER. Could the gentleman give any further advice as to the program for the rest of the week?

Mr. WARREN. On Wednesday the Mexican Claims bill will be considered and on Thursday we are expecting the final appropriation bill. Of course, we are hoping also to get an agreement on the tax bill.

Mr. MICHENER. As I understand, there is no expectation on the part of the gentleman that the House will adjourn this week?

Mr. WARREN. I am unable to say about that at the present time.

EXTENSION OF REMARKS

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech by my esteemed colleague the gentleman from Oregon, Hon. JAMES MOTT, the principal address given at the Twenty-sixth Annual Meeting of the American Association of State Highway Officials at Seattle, Wash., on September 17, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPEAKER RAYBURN

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include therein a short editorial from the New York Times of Wednesday, September 18, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The editorial referred to follows:

SPEAKER RAYBURN

Sam Randall, Tom Reed, and Nick Longworth are names that mark by their affectionate familiar contractions the American democratic style. Speaker RAYBURN was baptized in his native Tennessee as "Samuel Taliaferro." By what surprising forethought or happy chance he shortened it history doesn't tell us. Sam he is and will remain. He started from scratch. He was one of 11 children of a Confederate soldier.

He got into the Texas Legislature at 23; he was speaker of the Texas House at 29. In 1912 he was 30 and elected to the House of Representatives, where he has been ever since. His constituency is agricultural. Our southern friends have the good habit of sticking to a Representative. Going to Washington perfectly obscure, he got on the Committee on Interstate Commerce and worked up to its head. There was talk of making him Speaker in 1934. He became majority leader. Nobody will deny that he deserves the promotion to Speaker that has now come to him.

A friend of Mr. GARNER and a conductor of the latter's boom in 1932, he has that intense partisan orthodoxy, that follow-my-leader spirit that political prudence dictates. He happens to have had a hand in New Deal legislation that is wormwood to many in these parts, but he is respected as a man of ability, integrity, and experience. He is pretty young for a veteran, and he comes from a State for which nothing is too good—except a little thing like the Presidency.

The SPEAKER. Under the previous order of the House, the gentleman from Vermont [Mr. PLUMLEY] is recognized for 25 minutes.

THE MAKING OF A CONGRESSMAN—A 1940 REVISION

Mr. PLUMLEY. Mr. Speaker, on the 5th of June 1930, the Honorable Guy U. Hardy, then a Representative who had been for 14 years a Representative from Colorado, inserted in the RECORD a compilation of information which was one of the most valuable contributions ever made for the benefit of Members of Congress and for the general public. He entitled it: "Many Questions That Many Ask About the Congress, Its Works and Ways, Are Here Answered."

Since that date contributions have been made based on Representative Hardy's original, none of which has contained all of the subject matter, and none of which has entirely brought down to date the information therein undertaken to be broadcast.

Mr. Lamneck, of Ohio, and I both have undertaken at one time or another to use a part of the material, and to add to it along certain informative lines.

Now, at the request of many Representatives, and with the cooperation of the Honorable Lewis Deschler, Parliamentarian of the House, I have attempted to revise and extend the speech I made, entitled "The Making of a Congressman," and have taken the liberty to correct the Hardy original and bring it up to date wherever, by reason of changes in law, or rules, or for other reasons, the original is now obsolete or incorrect.

The revision of my speech, The Making of a Congressman, including the matters and things to which I have heretofore referred, now reads as follows:

Mr. Speaker, on the 27th day of February, 1882, 57 years ago come Monday next, the then Senator James G. Blaine, of Maine, delivered a memorial oration before the two Houses in commemoration of the life and death of James A. Garfield, then late President of the United States.

In the course of his oration Senator Blaine said:

"There is no test of a man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired, or to eminence won outside; no place where so little consideration is shown for the feelings or the failures of beginners. What a man gains in the House he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy, and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule, and where no pretense can deceive and no glamor can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed."

The truth of the above statement is just as obvious to all of us who sit in this Chamber today and observe its inexorable demonstration as it was 57 years ago.

"The mills of the gods grind slowly, but they grind exceedingly small" might well be a text for a sermon to those who in any session of Congress attempt the rapids before they have learned to swim.

How, then, may a newly elected Representative fit himself for efficient service and the discharge of his duties, as such, is an ever-recurring question with which all of us are confronted.

So it may not be out of place, and I hope may not be considered presumptuous, Mr. Chairman, if, with a due appreciation of my own limitation, I undertake to pass on to others some of the answers, counsel, and advice so generously given by those older and more experienced in service, to whom, on both sides of the aisle, we are grateful for such counsel, sought and given, as has helped us to steer past whirlpools wherein we most surely would have at least capsized and has saved us from many prospective bumps and bruises, and made life bearable for us.

One of the wiser and more farseeing of my friends advised me to familiarize myself with Lewis Deschler's (House Parliamentarian) Jefferson's Manual and Rules of the House of Representatives.

Says Deschler:

"From the beginning of the First Congress, the House has formulated rules for its procedure. Some of them have since gone out of existence. More of them have been amplified and broadened to meet the exigencies that have arisen from time to time. Today they are perhaps the most finely adjusted, scientifically balanced, and highly technical rules of any parliamentary body of the world. Under them a majority may work its will at all times in the face of the most determined and vigorous opposition of a minority.

* * * * * * *

"I believe that I am not making too broad a statement when I say that the parliamentary practice of the House is a system of procedure that ranks second to none. It has proven adequate to meet all the emergencies that have arisen in the past. It will meet the emergencies and problems of the future with the same degree of success."

Having done that, he advised me to study CLARENCE CANNON'S (Missouri) Procedure in the House of Representatives.

CLARENCE CANNON, as you know, is our colleague, the distinguished Representative from the State of Missouri and former Parliamentarian of the House. In the foreword to his work he says:

"The time of the House is too valuable, the scope of its enactments too far-reaching, and the constantly increasing pressure of its business too great to justify lengthy and perhaps acrimonious discussion of questions of procedure which have been authoritatively decided in former sessions.

"The purpose of this book is to provide a synopsis of the procedure of the House for use on the floor where the authorities and sources, because of their bulk and diversity, are not always immediately available. While comprehensiveness and detail have been sacrificed to brevity and accessibility, no notable decision has been omitted, and each topic is, for practical purposes, a complete résumé of the procedure on that subject."

Having studied these, it was suggested that I make it my business regularly to attend the sessions of the House, in order to learn by observation and assimilation the application of the rules and how the House operates thereunder.

Then one man of long years of service said to me:

"PLUMLEY, you will never know what it is all about and why unless and until you read Legislative Procedure, Legislative Assemblies, Legislative Principles, and Legislative Problems, four recognized works of authority with respect to the subjects suggested by the titles written by ROBERT LUCE, the eminent parliamentary authority and our colleague from Massachusetts."

In Legislative Procedure, Mr. LUCE states:

"Lawmakers must themselves be governed by law, else they would in confusion worse confounded quickly come to grief.

"It is true"—

Says he—

"that with Coke and Blackstone and Kent we do not ordinarily class Hatsell and Cushing and Hinds. It is true that the literature of parliamentary law is scanty and that it deals with minutiae of seemingly little consequence to human rights. Yet think what the law and the practice of legislative assemblies really mean. They make it possible under a representative form of government for the will of the people to be ascertained. Starting with the assumption that this will is the will of the majority, we can give it expression and effect only by processes that at the same time endow it with form and win submission by the minority. Lacking either achievement, chaos follows."

Again he says:

"Herein lies the safety of the minority, and this it is that makes parliamentary law and procedure of the greatest consequence to the public safety. Government survives because the lesser part yields to the greater part. Teutonic peoples have had more success than others in self-government because with them the minority, however convinced of its own wisdom, consents to be ruled by the majority until in orderly fashion the minority can make itself the majority. The minority insist on only the right to be heard. Theirs is the cry of Themistocles to Eurybiades, 'Strike, but hear me!' Give them but the chance to present their arguments fairly,

fully, and they will abide the issue. This is what we call liberty, though just why it would be hard to tell.

* * * * * * *

"Thomas Jefferson took the same view. Referring to Hatsell in the introductory words of his Manual, he recalled that Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say: 'It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by your ancestors, operated as a check and control on the actions of the majority, and that they were in many instances a shelter and protection to the minority against the attempts of power.' So far, said Jefferson, the maxim is certainly true and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary from time to time and are become the law of the House; by a strict adherence to which only the weaker party can be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities."

I commend the foregoing references to your careful consideration.

And now we come to the practical proposition which has confronted us all, as to the source of information with respect to our daily duties, and as to where we can get information, and from whom; and what shall we do next.

At this point may I say that I have omitted certain discussion appearing in the former text, including comments made by the gentleman from Kansas [Mr. LAMBERTSON], which occurred with respect to the revision of the Hardy original, made by Mr. Lamneck, of Ohio, in which the gentleman from Kansas [Mr. LAMBERTSON] pays a deserved tribute to Mr. Hardy.

With certain deletions, therefore, I now offer for your consideration the Hardy original brought down to date:

In making speeches in the House and Senate, Members often say "the country should know" this or that and "I want the country to know" this or that, with the implication that they are not speaking entirely for the benefit of the few gentlemen listening but for the whole country at large. And so it is with these remarks. I am not making them for the Members of the House of Representatives, although peradventure some Members may find some information here that will help them to answer questions a little more freely in the House gallery and at the Rotary Club back home.

Mr. Hardy said:

I am putting these questions and answers out in printed form for the benefit of the many who like to know a little more about the inside workings of, and the side lights on, the Congress. I know I have a lot of friends who like to know about these things and who encourage me to talk of them in little groups and through the press, and there may be other inquisitive people in other sections of this United States who read the CONGRESSIONAL RECORD.

WHAT IS CONGRESS?

Congress is the legislative body of the United States Government. The functions of the National Government are divided into three parts: Executive, judicial, and legislative. States have their State legislatures. Cities have their city councils. The Nation has its Congress. Its existence, authority, and limitations are provided by the Constitutuion. Article I, section 1, reads: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

HOW LONG HAVE WE HAD A CONGRESS?

The first and second sessions of the First Congress of the United States were held in New York City; subsequently, including the first session of the Sixth Congress, Philadelphia was the meeting place; since then Congress has convened in Washington, D. C.

The earlier Continental Congress, 1774–89, to be sure, had various places of meeting and included Philadelphia, Pa.; Baltimore, Md.; Lancaster, Pa.; York, Pa.; Princeton, N. J.; Annapolis, Md.; Trenton, N. J.; and New York City.

Incidentally, the President is authorized by proclamation to convene Congress at such place other than Washington as he may judge proper when "from the prevalence of contagious sickness, or the existence of other circumstances, it would, in the opinion of the President, be hazardous to the lives or health of the Members to meet" in Washington.

WHEN DOES CONGRESS MEET?

The Constitution, article I, section 4, provides that—

The Congress shall assemble at least once in every year * * * on the first Monday in December, unless they shall by law appoint a different day.

Pursuant to a resolution of the Continental Congress, the first session of the First Congress convened March 4, 1789. Up to and including May 20, 1820, 18 acts were passed providing for the meeting of Congress on other days in the year. Since that year Congress met regularly on the first Monday in December until 1934, when the twentieth amendment to the Constitution became effective, changing the meeting of Congress to January 3, unless the Congress shall, by law, appoint a different date.

The general elections held in the fall of every even year determine the composition of the House membership for the ensuing 2 years with the members-elect subscribing to the oath of office and being inducted into office in the January following.

WHAT IS A CONGRESSMAN?

Strictly speaking, a Member of either Senate or of the House of Representatives is a Congressman. However, in general practice we speak of a Member of the Senate as a Senator and of a Member of the House as a Congressman, although the official title of the latter is Representative in Congress.

HOW MANY MEMBERS?

There are 96 United States Senators, two from each of the 48 States in the Union.

There are 435 Members of the House of Representatives, each State being entitled to the number its population justifies. The Member or Members of the House to which each State is entitled is determined on the basis of the decennial census. There are two methods under existing law which may be followed in making the apportionment; one method is known as that of "major fractions," and the other is known as "the method of equal proportions." Under no circumstances shall any State have less than one member.

While Congress, by law, apportions the number of Representatives to each State, the State legislatures establish the districts from which the selection shall be made.

In addition to the Members of the House from the various States, Alaska, and Hawaii each have Delegates, and the Philippines and Puerto Rico have Resident Commissioners. These Delegates and Resident Commissioners have the right of debate but have no vote upon legislation appearing before the House for action.

WHAT QUALIFICATIONS ARE REQUIRED FOR MEMBERSHIP?

The Constitution provides that a Member of the House of Representatives must have attained the age of 25, have been a citizen of the United States for 7 years, and be an inhabitant of the State in which he is elected. In practice he is usually a resident of the district which he represents, but that is not a constitutional requirement. A United States Senator must have attained the age of 30 years, have been a citizen of the United States for 9 years, and be an inhabitant of the State which elects him.

WHAT OATH DO MEMBERS TAKE?

The oath of office taken by the Members of the House is administered by the Speaker, and by the Vice President to the Senators. It reads:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

The Constitution provides that the President of the United States, Senators, and Representatives, members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support the Constitution.

WHAT ABOUT EXTRA SESSIONS?

The President may call the Congress to meet in extraordinary session at any time he thinks the interests of the country justify it.

There has been only 1 four-session Congress, the Sixty-seventh, during President Harding's administration.

The longest session of the Congress was the War Congress of 1917–18, which lasted 354 days; the shortest session was the

10-day session called by President Pierce to enact an army appropriation measure in 1856. The Senate, alone, has been called into special session even for 1-day or 2-day sessions, but in such cases it was for the purpose of confirming Presidential appointments; the latter body may be called in extra session, without the House to consider treaties, try impeachments, and confirm appointments.

HOW ARE VACANCIES FILLED?

Members do die in office, and occasionally one resigns, usually to take what he considers to be a better office, however. When a Senator dies or resigns, the Governor of his State may appoint his successor to serve only until an election is held, providing his State legislature has given him the authority. If a Representative dies or resigns, his place cannot be filled by appointment. The Governor of his State may call a special election to fill the place, if he desires, or, as is done in many cases, the place may be left vacant until the next general election.

WHAT ARE THE DUTIES OF A MEMBER?

They are many and manifold. He should study legislation and attend the meetings of his House. He should listen to a good deal of the debates, but not all of them by any means. Many Members are kept in committee meetings many hours of many days of every session. The average Member develops a large office business. The Members get a vast amount of mail. This requires much study, dictation of replies, and often visits to different executive departments downtown. The departments are far away and often far apart. Many ex-service men bring their problems to their Congressmen, and he is always glad to help them out when and wherever he can, although he has not the power always to do as much as he would like.

A Member will get a thousand letters or maybe several thousand letters in a session from citizens advocating or opposing proposed legislation. Usually a Congressman answers every letter, though he cannot tell everybody what he thinks about every bill that has been introduced. He must wait developments through committee hearings and give thought to those measures that are being brought forward by favorable committee action.

WHAT ARE THE IMPORTANT COMMITTEES?

There are several. The two most important are probably Appropriations and Ways and Means. All bills that relate to the appropriation of money must be considered by and reported out by the Appropriations Committee of the House. This committee consists of 40 members, 25 Democrats and 15 Republicans. It reports out several bills that carry appropriations for a little over $4,000,000,000 each year. The Ways and Means Committee has to consider and report out all bills that have in any way to do with raising revenue, tariff, or any sort of taxes. This committee consists of 25 members, 15 Democrats and 10 Republicans. All revenue bills must originate in the House of Representatives and come out of the Ways and Means Committee.

There are about 47 standing committee, 9 joint standing committees, and several select committees appointed for specific purposes. The 10 principal committees are called exclusive committees in that a majority member of any one of these committees cannot serve on any other.

HOW DO COMMITTEES WORK?

They meet regularly or on call. They consider the bills that have been referred to them. They sometimes hold long hearings on important bills when those interested either for or against may come in and tell the committee what they think of the bills in question. Some hearings last several days and some several weeks. The committee then considers the bill and may report it out with or without amendments or may decide not to report it out. Sometimes the committee takes up several bills of a similar character, considers all phases of the question, and writes a new bill and reports that out.

WHO SELECTS MEMBERS FOR COMMITTEE ASSIGNMENTS?

Majority Members are assigned to committees by the Committee on Ways and Means. As a rule, once on an important committee a Member stays there as long as he is in Congress. If a vacancy occurs on an important committee, a member from another committee may be given the place by the Committee on Ways and Means if he desires it, and if he has the seniority and influence to get it. New Members get the places left available. The minority's committee on committees performs this function for them. All selections must be confirmed by election in the House.

WHO APPOINTS THE CHAIRMEN OF COMMITTEES?

They are elected by the House, and theoretically the Committee on Ways and Means makes the selections of chairmen. In actual practice, however, the Member of the majority party who has served longest on any committee is selected as chairman. Here seniority plays an important part. The chairmen, of course, all come from the majority party, and the majority of the members of all committees are of the dominant party.

WHAT IS THE COMMITTEE ON RULES?

This is one of the most important committees, as it controls the destiny of more proposed legislation than any other. Bills from the Ways and Means and Appropriations have the right-of-way, so to speak, and can always be brought up for consideration. Other committees have only a few calendar days in any one session. So many bills reported out cannot be brought up for consideration. The Rules Committee can report a rule for consideration of a bill any day. It can bring in a rule for the consideration of any bill that has been reported out of any committee any time. In the last days of a session special rules to bring out special bills are much in demand. The Rules Committee has much power, certainly has the power of selection, but it must be fair and discriminating, selecting what the majority of Congress seems to want most, as the rule it brings in must be adopted by the House.

WHAT IS THE STEERING COMMITTEE?

This is a committee not much heard of nor mentioned in the newspapers. And I dare say that hardly two dozen Members of the House can tell the names of all of the members on the steering committee. This is a little party adjunct to help promote legislation the majority is interested in, and help to iron out a program of procedure, especially in the closing days of a session. It is composed of nine of the older majority Members. In addition, the majority leader acts as chairman. When important matters are up for consideration the Speaker and the chairman of the Rules Committee sit in. This committee really has a good deal of influence in helping to shape up the legislative program.

WHAT ARE CONFERENCES AND CONFEREES?

The House passes a bill, for instance. It goes to the Senate and may be much amended over there, as are appropriations and tariff bills usually. The House will not accept the amendments. So the bill is sent to conference. The House appoints three or five Members as conferees and the Senate appoints an equal number. These gentlemen meet and hold a conference and discuss the points in disagreement. The conferees of the Senate give up some items and the conferees of the House agree to some. Finally they get together on a bill somewhere between the position taken by each House. Sometimes the conferees do not give up easily; sometimes the conference drags on for days or weeks, and they have run for months. Usually they get together, and usually the conference report is adopted by both Houses. Which end of the Capitol is the most stubborn? Well, the other end, of course.

WHAT RESEARCH ASSISTANCE IS AVAILABLE TO THE MEMBERS?

The Library of Congress has an expanding division known as the Legislative Reference Service, to which most of the Members refer when in search of specific data otherwise not readily available.

This Division to be of the utmost worth to a membership representing conflicting and widely diverse viewpoints must render an objective rather than slanted service, delivering exhaustive, unbiased, factual data irrespective of the personal predilections of its staff.

HOW DO MEMBERS KNOW TO WHOM TO ADDRESS INQUIRIES?

With an expanding Federal service and the growth of governmental machinery, it has been found necessary to bring into being a clearing house known as the United States Information Service. Handling thousands of inquiries asking general information concerning all phases of governmental activity, this Division, in addition, edits a three-times-a-year manual, in which is recorded integrated authoritative information on the organization and functions of the departments and agencies of the Federal Government. It is a volume which no congressional office could well do without.

HOW ARE BILLS WRITTEN?

Although many bills are written by the Members, the Congress has wisely provided for legislative counsel to aid the Members and the committees in drafting measures of a more complicated nature. This corps of expert legislative draftsmen take note of the general objective sought to be attained by the Member and mold his idea into parliamentary legal form.

A Member writes up his bill and drops it in the basket on the Clerk's desk. It is then referred to the appropriate committee. Many bills lie in committee undisturbed and are never heard from again. In some cases they have served their purpose without further action. They have advertised the Member and the project. Many bills are introduced that have not the slightest chance of serious consideration or passage.

STAGES OF A BILL OF THE HOUSE

The following statement with respect to stages of a bill appears in the revision made by Representative Lamneck but is not found in Representative Hardy's original presentation:

First. Introduction: By a Member by laying the bill on the Clerk's table informally. A Member sometimes introduces a petition only, leaving to the committee the drawing of a bill, such a petition referred to a committee having jurisdiction of the subject giving authority to report a bill. Sometimes communications addressed to the House from the executive departments or from other sources

are referred to committees by the Speaker and give authority for the committees to originate bills. Messages from the President also are referred by the Speaker of the House and give jurisdiction to the committees receiving them to originate bills.

Second. Reference to a standing or select committee: Public bills are referred under direction of the Speaker; private bills are endorsed with the names of the committees to which they go under the rule by the Members introducing them. Senate bills are referred under direction of the Speaker. A bill is numbered and printed when referred.

Study of the bill is then undertaken by the committee membership, oftentimes by a subdivision of the committee before whom proponents and opponents of the contemplated legislation are heard. The various governmental subdivisions to be affected are consulted, and members of Congress other than committee members are heard.

Third. Reported from the committee: Committees having leave to report at any time make their reports from the floor; other committees make their reports by laying them on the Clerk's table informally. The bill and the report are printed when reported.

Fourth. Placed on the calendar: Occasionally a privileged bill is considered when reported, but usually it is placed with the unprivileged bills on the calendar where it belongs under the rule by direction of the Speaker.

Fifth. Consideration in Committee of the Whole: Public bills which do not raise revenue or make or authorize appropriations of money or property do not go through this stage. All other bills are considered in Committee of the Whole. The stages of consideration in Committee of the Whole are: General debate; reading for amendment under the 5-minute rule; order to lay aside with a favorable recommendation or to rise and report; reporting of to the House.

Sixth. Reading a second time in the House: Bills not requiring consideration in Committee of the Whole are read a second time in full, after which they are open to debate and amendment in any part. Bills considered in Committee of the Whole are read a second time in full in that Committee and when reported out with or without amendments, are not read in full again, but are subject to further debate or amendment in the House unless the previous question is ordered at once.

Seventh. Engrossment and third reading: The question on House bills is taken on ordering the engrossment and third reading at one vote. If decided in the affirmative, the reading a third time usually takes place at once, by title. But any Member may demand the reading in full of the engrossed copy, in which case the bill is laid aside until it can be engrossed. Senate bills come to the House in engrossed form, and the question is put on third reading alone. When the question on engrossment and third reading of a House bill or third reading of a Senate bill is decided in the negative, the bill is lost as much as if defeated on the final passage. The question on engrossment and third reading is not made from the floor, but is put by the Speaker as a matter of course.

Eighth. Passage: The question on the passage of a bill is put by the Speaker as a matter of course, without awaiting a motion from the floor.

Ninth. Transmission to the Senate by message.

Tenth. Consideration by the Senate: In the Senate, House bills are usually referred to committees for consideration and report, after which they have their several readings, with opportunities for debate and amendment. The same procedure takes place in the House as to bills sent from the Senate.

Eleventh. Return of, from the Senate without amendments: If the Senate passes a House bill without amendment it returns it to the House, where it is at once enrolled on parchment for signature. A bill thus passed without amendment goes into possession of the Clerk and is not laid before the House prior to enrollment. If the Senate rejects a House bill the House is informed. Similar procedure occurs when the House passes a Senate bill without amendment.

Twelfth. Return of, from the Senate with amendments: House bills returned with Senate amendments go to the Speaker's table. If any Senate amendment requires consideration in Committee of the Whole the bill is referred by the Speaker informally to the standing committee having jurisdiction, and when that committee reports the bill with recommendations it is referred to the Committee of the Whole House on the state of the Union, to be there considered and reported to the House itself. When no Senate amendment requires consideration in Committee of the Whole the bills come before the House directly from the Speaker's table.

Thirteenth. Consideration of Senate amendments by the House: When a bill with Senate amendments comes before the House the House takes up each amendment by itself and may vote to agree to it, agree to it with an amendment or disagree to it. If it disagrees, it may ask a conference with the Senate or may send notice of its disagreement, leaving it to the Senate to recede or insist and ask the conference.

Fourteenth. Settlement of differences by conference: When disagreements are referred to conference the managers embody their settlement in a report, which is acted on by each House as a whole. When this report is agreed to the bill is finally passed and is at once enrolled for signature.

Fifteenth. Enrollment on parchment: The House in which a bill originates enrolls it.

Sixteenth. Examination by the Committee on Enrolled Bills: While the Committee on Enrolled Bills is described as a joint committee, each branch acts independently. The chairman of each branch affixes to the bills examined a certificate that the bill has been found truly enrolled.

Seventeenth. Signing by the Speaker and President of the Senate: The enrolled bill is first laid before the House of Representatives and signed by the Speaker, whether it be a House or Senate bill, after which it is transmitted to the Senate and signed by the President of that body.

Eighteenth. Transmittal to the President of the United States: The chairman of the Committee on Enrolled Bills for each House carries the bills from his House to the President. In the House of Representatives a report of the bills taken to the President each day is made to the House and entered on its Journal.

Nineteenth. Action by the President: He may (1) promptly sign it, whereupon it becomes law as of its effective date. He may (2) hold it without taking any action, in which case it becomes law at the expiration of 10 days (Sundays excepted) without his signature, provided Congress is still in session. He may (3) hold the measure, and by so doing, kill it, if Congress adjourns before the bill has been in his hands 10 days (the so-called pocket veto). He may (4) veto the bill outright.

Twentieth. Action on, when returned disapproved: The House to which a disapproved bill is returned has the message read and spread on its Journal. It may then consider at once the question of passing the bill notwithstanding the President's objections, or may postpone to a day certain, or refer to a committee for examination. The vote on passing the bill notwithstanding the President's objections must be carried by two-thirds. If the bill fails to pass in the House to which it is returned, it remains there; but if it passes it is sent to the other House for action.

Twenty-first. Filing with the Secretary of State: When approved by the President a bill is deposited in the Office of the Secretary of State; and when the two Houses have passed a bill notwithstanding the President's objections, the presiding officer of the House which acts on it last transmits it to the Secretary of State.

VETOES

Contrary to the practice followed in most of the State governments, the Chief Executive must approve or disapprove a bill in its entirety; he cannot accept part and reject part.

Nevertheless, not so many bills are vetoed as one might expect. By and large, the opinion of Alexander Hamilton that the veto would "generally be employed with great caution" has been borne out. Grover Cleveland set an all-time high, however, with 358 vetoes, until the administration of Franklin Roosevelt, whose vetoes have exceeded Cleveland's considerably.

The following summary indicates the more recent actions taken:

President	Regular veto	Pocket veto	Total vetoes	Vetoes overridden
Wilson	33	11	44	6
Harding	5	1	6	
Coolidge	20	28	48	4
Hoover	21	13	34	3
Roosevel [1]	234	239	473	7
Roosevelt:				
First term	102	117	219	2
Second term [1]	132	122	254	5

[1] Up to and including Aug. 28, 1940.

It is interesting to note that seven Presidents made no use of the veto power whatever, the last of these being President Garfield.

ARE MANY BILLS INTRODUCED?

The all-time-high record is held by the Sixty-fifth Congress, during which 33,015 bills were introduced in the two Houses. More nearly normal, although still above the average, is the number introduced in the Seventy-sixth Congress, 18,754 bills.

Not all the bills introduced are enacted, however. The chances are, roughly, about 1 in 10 that the bill introduced will be enacted into law.

WHAT IS "UNANIMOUS CONSENT"?

Many little actions are done in and taken by the House by unanimous consent. The Member asks for unanimous consent to

do this or that—to correct the RECORD, to speak for 5 minutes or more out of order, to insert remarks in the RECORD, to change an amendment he has offered, to have a letter read. If there is no objection on the part of any Member, then consent is granted. Frequently a gentleman says, "I object," and that settles that.

The leader of the majority makes many unanimous-consent requests, and usually they are granted. He may ask consent to meet at a certain hour, to adjourn over for a day or two, to hold a night session, to have so many hours for debate on a bill, to take up specified matters on certain days out of order, to set days for the Private and Consent Calendars. The granting of the request saves the passing of motions or the making of rules.

Many bills are passed by unanimous consent. All bills of a private character go on the Private Calendar. And another character of bills go on the Consent Calendar. On days when these bills are in order the Clerk reads the title of the bill, the Speaker asks, "Is there objection?" Any Member may say, "I object," if he desires, in which case the bill cannot be taken up; and the next title is read. If no objection is made, the bill is read and passed very quickly, usually. The theory is that if no one cares to object to a bill certainly many would not vote against it, so it ought to be passed. Both party organizations have several Members who make it their business to study all bills on the Consent Calendars and be ready to object or insist on what they think to be the proper amendments before consent is granted for the bill to be considered.

Often a Member will arise and say: "Reserving the right to object," and ask questions about the bill. This gives the author of the bill a chance to explain or defend it, and sometimes quite a little debate is stirred up even on consent days. After a while somebody may shout "Regular order!" The Speaker says, "Regular order is demanded." Whereupon the gentleman who started the trouble by "reserving the right to object" must immediately make his objection or withdraw it. He may be just as apt to do one as the other, and on his decision rests the destiny of some anxious Member's important bill—for all bills are important to their hopeful authors. On consent days Members with bills on the calendar are most patient, polite, and persuasive in their ways toward the gentlemen who sit at the table and whose business it is to inquire into the merits of bills coming up.

HOW ARE VOTES TAKEN?

Four different ways. Usually the Speaker puts the question in this form: "As many as are in favor (of the motion) say 'Aye'," and then, "As many as are opposed say "No.' " In most instances the vote taken thus is decisive enough to satisfy. But if the Speaker is in doubt, or if it sounds close, any Member may ask for a division. In this case the Speaker asks those in favor to stand up and be counted. Then those opposed to the proposition to stand up and be counted. The Speaker does the counting and announces the result. But if he is still in doubt, or if a demand is made by one-fifth of a quorum—that is, 20 in the Committee of the Whole or 44 in the House—tellers are ordered. The Speaker appoints one gentleman on each side of the question to make the count. The two tellers take their place at the head of the center aisle. All Members favoring the proposition walk through between the tellers and are counted. Then those opposed walk through and are counted. This vote settles most questions.

But a roll call may be demanded by anybody on any question in the House, and if supported by one-fifth of those present it is ordered. This privilege is guaranteed by the Constitution. The Clerk reads the names of the whole membership, and as his or her name is called the Member answers "Aye" or "No." The names of those not voting the first time are read a second time, so that all Members in corridors, cloakrooms, committee rooms, or offices, who have been notified of a roll call by signal bells, may come in and vote.

Roll calls are ordered sometimes to get a full vote on a measure, because of a lack of a quorum, sometimes because Members want to be on record on a measure, and sometimes to put the other side on record against the measure for imaginary political advantage. The roll calls are published in the CONGRESSIONAL RECORD and are sometimes quoted to a Member's advantage or disadvantage, as the case may be.

Many bills of lesser importance and some of greater importance are passed without a roll call. This can be done if a quorum is present when the vote is taken and as many as one-fifth of those present do not demand a roll call. This is done often to save time and sometimes to save Members the embarrassment of having to be recorded for or against a measure.

WHAT IS A QUORUM?

Everybody who ever attended a literary society knows that it requires a quorum to do business. In the House of Representatives a quorum is a majority of the membership. When there are no vacancies in the membership a quorum is 218. There are usually a few vacancies—Members who have died or have resigned and their places yet unfilled. So an actual quorum is usually a little under that figure. Much business is transacted without a quorum. But no business of any character, except to adjourn, can be transacted without a quorum present if any Member objects. All any Member has to do to get a full House is to arise, address the Speaker, and make the point of order that "no quorum is present." The Speaker says, "I will count." If he cannot count a majority present, the doors are closed, the bells are rung in the corridors and House Office Building, and the roll is called. This usually produces a quorum, and business proceeds.

When the House is in Committee of the Whole a hundred Members make a quorum.

IS LEGISLATION MUCH INFLUENCED BY ORATORY?

Not much. People back home may picture the House as a forum for debate upon the merits of the many bills they read about. It is in a way, but most of the debate is as potent as a sham battle. Very few bills that are brought up in the House for action under general or special rules are defeated. I think more than 95 percent of bills thus brought up are passed, despite the forensic display of oratory that may be directed against them, and usually is, by the minority or the opposition. Hardly 1 amendment in 40 offered to bills on the floor is adopted unless offered or accepted by the committee reporting out the bill up for consideration.

Legislation enacted by any Congress is largely that originating with or sponsored by the majority party. Important measures brought up have had thorough scrutiny and a favorable report by a well-organized committee. They have probably had strong backing from the country. Some have had the approval of the steering committee and some have been reported out by the Rules Committee. Such measures are on the program for passage, and long debates and much oratory cannot defeat them. On the other hand, bills that are not slated for passage do not often get up for action in the House.

Committee responsibility is great and committee action influential. On most amendments and on most bills a majority of the Members vote most of the time with the committee—and it is difficult to break into that influence even with fine oratory.

WHAT ARE THE DUTIES OF THE SPEAKER?

He presides over the House, appoints the Chairman to preside over the Committee of the Whole, appoints all special or select committees, appoints conference committees, has the power of recognition of Members, makes many important rulings and decisions in the House. The Speaker may vote, but usually does not except in case of tie. He may appoint a Speaker pro tempore but not for more than 3 days at a time without the consent of the House.

WHAT IS A PARTY LEADER?

There is a majority leader and a minority leader. In talk on the floor we do not refer to Democrats and Republicans usually. It is more dignified, it seems, to refer to the majority and the minority. The majority leader has the more influence, of course, since he has the majority of the membership back of him.

The leader is all the title implies. He leads in party debate, brings forward party programs and policies. His advocacy of or opposition to proposed legislation indicates the party preference. The majority leader has much control over what comes up and when of the legislative program from week to week. When he makes a motion it is nearly always carried. He usually makes the motion to adjourn, and it always carries. If someone else, not authorized to do so, makes a motion to adjourn, it is nearly always defeated.

WHAT ARE THE CHAPLAIN'S DUTIES?

Both Senate and House have a chaplain, who offers prayer at the opening of each daily session, usually at 12 o'clock noon. Both are eloquent and Godly men. The prayers are printed in the CONGRESSIONAL RECORD with the proceedings each day.

WHAT ARE THE DUTIES OF THE WHIP?

The whip is not an official position. It is a party designation. Both parties have their whip. The whip looks after the membership of his party, advises them of weekly programs, and endeavors to have all present when important measures are to be voted upon. When the vote is apt to be close he checks up, finds out who is out of the city, and advises them by wire of the important measure coming up.

The efficacy of the majority in securing the legislation it desires and of the minority in making felt its opposition depends upon the efficiency of the party "machinery" on the floor. The party "whips" are vital cogs in this machinery.

WHAT IS PRINTED THAT BEST TELLS OF THE CONGRESS?

The Constitution of the United States is the most informative thing printed dealing with the Congress. It provides the authority for Congress, specifies its duties, powers, privileges, and much of the procedure in both Houses of Congress. The Constitution is not very long, is easily obtainable in any city or town, and should be read occasionally by every citizen. It will surprise you how much information it contains.

HOW OLD IS THE CONSTITUTION?

It was adopted by the Federal Constitutional Convention in 1787, ratified by the several States, and the new Government provided for by it became fully operative with the inauguration of George Washington as President of the United States on April 30, 1789.

HOW CAN THE CONSTITUTION BE AMENDED?

A proposal to amend the Constitution must be passed by the Congress by a two-thirds vote of the Members present in both House and Senate. The proposed amendment then must be ratified by the legislatures of three-fourths of the States or by conventions in three-fourths of the States; the choice of method of ratification rests with the Congress.

HAVE MANY CONSTITUTIONAL AMENDMENTS BEEN ADOPTED?

No, not very many; only 21 in 151 years, and this question brings out some interesting figures and dates.

The first 10 amendments to the Constitution were proposed by the first Congress in 1789 and were practically agreed to before the adoption of the Constitution. The eleventh and twelfth amendments were proposed in 1794 and 1803.

Since 1804 when the twelfth amendment was ratified, over a period of 136 years, only nine amendments have been adopted to the Constitution.

The thirteenth, fourteenth, and fifteenth amendments relate to abolition of slavery, rights of citizenship, and the franchise, coming after the Civil War, and were proposed and ratified between 1865 and 1870.

Since the Civil War period only six amendments have been ratified, as follows:

Sixteenth amendment provides power for Congress to levy a tax on incomes. Was ratified in 1913.

Seventeenth amendment provides that United States Senators shall be elected by popular vote. Previous to its adoption Senators had been chosen by State legislatures. Proposed in 1912 and ratified in 1913.

Eighteenth amendment provides for prohibition. Proposed 1917 and ratified by 1919. Subsequently ratified by all States in the Union except two.

Nineteenth amendment provides the right of suffrage of women. Proposed 1919 and ratified by 1920.

Twentieth amendment is the so-called lame-duck amendment. It relates to the terms of the President, Vice President, Senators, and Representatives and sets the time the Congress shall convene.

The twenty-first amendment repealed the eighteenth or prohibition amendment to the Constitution.

ARE AMENDMENTS SOMETIMES PROPOSED BUT REJECTED BY THE STATES?

Yes; that has occurred several times. Amendments were proposed in 1789—two—1810, 1861, and 1924, that were not ratified by the States. All of these except the last one are out of date, of no use now, and time has shown the wisdom of their rejection.

The one submitted to the States in 1924 was known as the child-labor amendment and reads in part, "The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age." So far 27 States have ratified this amendment, and 16 State legislatures have voted to reject it, with there being no record of action by five States; namely, Alabama, Mississippi, Nebraska, New York, Rhode Island. Since 36 States must ratify an amendment to make it effective, it would appear that this one also has been lost. Recent social legislation on the part of the various States has materially decreased the alleged necessity for its enactment.

WHO PAYS FOR SPEECHES MEMBERS MAIL OUT?

The Senator or Congressman pays for the speeches he sends out. They are printed usually at the Government Printing Office and are charged for at cost price, but the cost price is about what they would cost in a privately operated print shop. A Member will often send out another Member's speech on some subject he thinks will be of interest to his constituents.

In the fiscal year 1939, Members paid the Public Printer $60,488.47 for speeches. Ten years before, in 1929, the sum was $66,400.07.

WHAT OF THE INFLUENCES OF SENIORITY OR LENGTH OF SERVICE?

In no other place, perhaps, in this broad land of ours does seniority or length of service cut so much figure as it does in the Congress of the United States.

It is the first discouraging thing the new Member meets, and many have been the bitter denunciations of its rule. Right or wrong, however, the rule of seniority has long been an important factor in the Congress, and no one these days has the optimism to predict that it will soon be abolished.

The new Member meets the rule of seniority when he applies for his first office room. He gets only what is left after all older Members have made their selections. He may file on a vacant room in the House Office Building. Another Member who has served before may come along and take it away from him. He may file on numerous rooms and see them go to older Members. The oldest Member requesting a vacant office room gets it.

He meets with it at any official dinner he attends. The new Member sits near the foot of the table; the older Members, in the order of their term of service, near the head of the table.

The new Members find the rule of seniority when they apply for committee assignment. The older Members pick out the favored places; the new Members must work their way up.

The new Member finds it in the committee room when he attends the first meeting of his committee. He finds his name on his place at the foot of the table. The oldest member of the committee will probably be the chairman at the head of the table. And by length of service they rank down to the newest members at the foot.

New Members are welcome and are shown every courtesy on the floor. They are never hazed nor snubbed. But there are some years in the beginning of their service when new Members must feel that they are hardly in the thick of things—when they must think that they would like to sit, even in the committee room, up near the middle of the table.

The important places in the House go to the older Members. Choice committee assignments go to the older Members who desire them. The chairman of every committee is, almost without exception, the longest-serving majority member on the committee. Chairmen of committees have a good deal of influence and get their names on the most important bills.

A great deal of legislation is written by or determined by the conferees on conference committees between the House and Senate. Almost invariably the conferees appointed by both House and Senate are the two oldest Republican and the oldest Democratic members of the committees reporting out the bills in each House. Conferees have had much to do with the final writing of appropriation and tariff bills especially, as well as with many other important bills in which there is a difference between House and Senate. Members may orate and the two Houses may vote, but the conferees, the old boys, bring back the language agreed upon, and it will be adopted.

Of course, this seniority influence is not unique nor original in the Congress. It works similarly in every legislative body in the country from the city council up. It works in the local lodges and grand lodges of every order. It is especially strong in the national meetings of a number of church organizations. It is particularly noticed in the Congress and commented upon because the Congress is more or less a permanent working body of long standing and represents all of the people of our country.

Legislation is unquestionably much influenced by the men who have served long and occupy these important places in the organization of the House, and greater influence in and with the departments is certainly felt by those who have had the advantage of knowledge and acquaintance gained by years on the job. This long service in the House brings Members in contact with the personnel of the several departments and helps them to be of service in many little and some big ways to their constituents back home.

Seniority or length of service in the House of Representatives is certainly a large factor in giving a Member position and influence in the Congress and in Washington. Brilliancy and unusual ability, of course, count for much, but without years of service they do not get one far here. Those districts which have returned their Members term after term have contributed much toward the cause of good government and are today represented by Members in Congress who have standing and influence in Washington.

[Applause.]

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LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DARDEN of Virginia, for an indefinite period, on account of inspection of naval bases in the Pacific with a subcommittee of the Committee on Naval Affairs.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 10361. An act to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1379. An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan; and

S. 1450. An act to provide funds for cooperation with School District No. 15, Froid, Mont., for extension of public-school buildings to be available to Indian children.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on Friday, September 20, 1940, present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 4031. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording and Computing Machines Co., of Dayton, Ohio;

H. R. 8551. An act for the relief of Xenophon George Panos;

H. R. 10026. An act to provide for the disposition of certain photographed records of the United States Government, and for other purposes;

H. R. 10176. An act authorizing the Secretary of the Interior to issue patents for lands held under color of title;

H. R. 10438. An act to extend the age limits for applicants for appointment as midshipmen at the United States Naval Academy;

H. J. Res. 445. Joint resolution to establish a Commission for the Celebration of the Two Hundredth Anniversary of the Birth of Thomas Jefferson;

H. J. Res. 596. Joint resolution to authorize Commander Howard L. Vickery to hold the office of a member of the United States Maritime Commission; and

H. J. Res. 607. Joint resolution making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1941.

ADJOURNMENT

Mr. WARREN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 5 o'clock and 7 minutes p. m., the House adjourned until tomorrow, Tuesday, September 24, 1940, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1952. A letter from the Postmaster General, transmitting a draft of a proposed bill to amend section 3 of the act of June 25, 1938, to permit the appointment of acting postmasters to fill vacancies caused by the absence on military duty of the regular postmasters; to the Committee on the Civil Service.

1953. A letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting a report of the Commission's official proceedings for the year ended December 31, 1939, and balance sheets and other financial and statistical data of the several public utilities for the year ended December 31, 1939; to the Committee on the District of Columbia.

1954. A letter from the Secretary of Agriculture, transmitting a proposed bill for amendment of the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

1955. A letter from the Acting Secretary of the Navy, transmitting a report pursuant to the provisions of the act of March 5, 1940, on contracts that have been awarded under authority of this act; to the Committee on Military Affairs.

1956. A letter from the Secretary of Agriculture, transmitting a request for the addition of a sentence to the proposed amendment of the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

1957. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 20, 1940, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Crooked River, Oreg., authorized by the Flood Control Act approved August 28, 1937; to the Committee on Flood Control and ordered to be printed with illustrations.

1958. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 20, 1940, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Boise River, Idaho, authorized by the Flood Control Act approved June 28, 1938, and by act of Congress approved March 4, 1937 (H. Doc. No. 957); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1959. A letter from the Chairman, Securities and Exchange Commission, transmitting the concluding portion of the Securities and Exchange Commission report on the study and investigation of the work, activities, personnel, and functions of protective and reorganization committees, pursuant to section 211 of the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 10322. A bill to amend further the District of Columbia Unemployment Compensation Act; without amendment (Rept. No. 2965). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee on Appropriations. H. R. 10539. A bill making supplemental appropriations for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 2966). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 609. Resolution for the consideration of H. R. 10539, a bill making supplemental appropriation for the support of the Government for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 2971). Referred to the House Calendar.

Mr. SUMNERS of Texas: Committee on the Judiciary. S. 3936. An act to extend the provisions of the act of May 22, 1934, known as the National Stolen Property Act; with amendment (Rept. No. 2974). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 9756. A bill granting an increase of pension to Nellie J. Merriman; without amendment (Rept. No. 2968). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 10540. A bill granting pensions to sundry widows; without amendment (Rept. No. 2969). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 10541. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 2970). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 10311. A bill for the relief of Ernst Gottlieb, his wife, Margot, and daughter, Mary; without amendment (Rept. No. 2972). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 10326. A bill for the relief of Dr. Frantisek Blonek and Erna Blonek; without amendment (Rept. No. 2973). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. House Resolution 599. Resolution requesting information from the President of the United States concerning transfer of military and naval equipment to Great Britain (Rept. No. 2967). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 10427) granting a pension to Mary A. Green, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 10542. A bill authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and author-

izing the Secretary of War to prescribe duties; to the Committee on Military Affairs.

By Mr. SCRUGHAM:

H. R. 10543. A bill to make the excess land provisions of the Federal reclamation laws inapplicable to the lands of the Washoe County Water Conservation District, Truckee storage projects, Nevada, and the Pershing County Water Conservation District, Nev.; to the Committee on Irrigation and Reclamation.

By Mr. THORKELSON:

H. R. 10544. A bill to restrain and control abuses under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

H. R. 10545. A bill to define the status of conscientious objectors under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOREN:

H. R. 10546. A bill for the relief of Flossie Bivins; to the Committee on Claims.

By Mr. BUCKLEY of New York:

H. R. 10547. A bill to record the lawful admission to the United States for permanent residence of Harry Kaplan, Rebecca Kaplan, Hyman Kaplan, and Guelda Kaplan; to the Committee on Immigration and Naturalization.

By Mr. CURTIS:

H. R. 10548. A bill for the relief of Rodney Eugene Hoover; to the Committee on Claims.

By Mr. DIMOND:

H. R. 10549. A bill for the relief of Paula Liebau Anderson; to the Committee on Claims.

Mr. KILDAY:

H. R. 10550. A bill for the relief of the estate of William Kearney; to the Committee on Claims.

By Mr. LUDLOW:

H. R. 10551. A bill for the relief of Fred McGarrahan; to the Committee on Military Affairs.

H. R. 10552. A bill authorizing and directing the Secretary of the Treasury to reimburse Joseph E. Wilhelm and Helen B. Wilhelm, husband and wife, for the losses sustained by them by reason of the death of their son, John Lee Wilhelm; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 10553. A bill for the relief of W. P. Richardson, as successor and assignee of W. P. Richardson & Co., of Tampa, Fla., a partnership composed of W. P. Richardson, George W. Hessler, and L. C. Park, by reason of certain claim arising within the World War period; to the Committee on War Claims.

By Mr. RAYBURN:

H. R. 10554. A bill for the relief of Raymond W. Reed and Rose Reed; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 10555. A bill granting a pension to Ida Barber; to the Committee on Invalid Pensions.

H. R. 10556. A bill granting a pension to Lizzie Lype; to the Committee on Invalid Pensions.

H. R. 10557. A bill granting a pension to Ida Lott; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9305. By Mr. CULKIN: Petition signed by approximately 300 men of the Thirty-second District of New York, petitioning Congress to amend the Railroad Retirement Act of 1937; to the Committee on Interstate and Foreign Commerce.

9306. By Mr. VAN ZANDT: Petition of the Grand Lodge of the Unemployed Brotherhood of Pennsylvania, Altoona, Pa., concerning un-American activities; to the Committee on Rules.

9307. By the SPEAKER: Petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to peace policy; to the Committee on Foreign Affairs.

9308. Also, petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority; to the Committee on Banking and Currency.

9309. Also, petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

9310. Also, petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to the La Follette Oppressive Labor Practices Act; to the Committee on Labor.

9311. Also, petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

9312. Also, petition of the American Newspaper Guild Auxiliary of Los Angeles, Calif., petitioning consideration of their resolution with reference to the antitrust acts; to the Committee on the Judiciary.

9313. Also, petition of the American Newspaper Guild Auxiliary of Los Angeles, Calif., petitioning consideration of their resolution with reference to education; to the Committee on Education.

9314. Also, petition of the American Newspaper Guild Auxiliary of Los Angeles, Calif., petitioning consideration of their resolution with reference to antiprofiteering; to the Committee on Military Affairs.

9315. Also, petition of the American Newspaper Guild Auxiliary of Los Angeles, Calif., petitioning consideration of their resolution with reference to Senate bill 3230, the hospital bill; to the Committee on Interstate and Foreign Commerce.

9316. Also, petition of the American Newspaper Guild Auxiliary, of Los Angeles, Calif., petitioning consideration of their resolution with reference to the training conscription provisions of the Selective Training Act of 1940; to the Committee on Military Affairs.

9317. Also, petition of the International Union of the United Automobile Workers of America, Congress of Industrial Organizations, Local No. 2, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority; to the Committee on Banking and Currency.

9318. Also, petition of the Marine Cooks and Stewards Association, steamship *Lurline*, Wilmington, Calif., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

9319. Also, petition of the Methodist Benevolent Association, of Nashville, Tenn., petitioning consideration of their resolution with reference to Sunday shall be observed as rest day, in the execution of this law; to the Committee on Military Affairs.

SENATE

TUESDAY, SEPTEMBER 24, 1940

(Legislative day of Wednesday, September 18, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou, whose infinite tenderness for all burdened lives betokened the full and free expression of Thy love, whose contact with all want and misery caused the sacrament of human sympathy to live and glow with radiant power: Keep us, we beseech Thee, in perfect harmony one with another,